

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD AUGUST 7, 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 for the meeting as posted on the Town sign board and Town website. At the request of the applicants, Chairman Oster noted that the major subdivision application submitted by Paramount Building Group, and the major subdivision application submitted by JJ Cillis, have been adjourned to the August 21 meeting.

It was noted that the minutes of the July 17, 2025 meeting will be reviewed at a subsequent meeting.

The first item of business on the agenda was the application submitted by CVE North America Inc. seeking waiver of subdivision, special use permit, and site plan with regard to two proposed community solar facilities on property located at 511 McChesney Avenue Extension. David Froelich and Carrie Cosentino of CVE North America, together with John Ahearn, Esq., project attorney, were present for the applicant. Mr. Froelich stated that CVE North America wished to follow-up from the discussions held at the July 17 meeting, as CVE North America felt that the discussion did not match with the application record. Mr. Froelich stated that CVE North America had made a further submittal under cover letter dated August 5, including additional

information concerning the view shed analysis, particularly regarding the statement that 50% of the Route 2 view shed that passed through the study area had visibility of the project site, which issue was significant to the Planning Board. Mr. Froelich stated that the statement regarding Route 2 visibility missed the point because the visual assessment report did not consider existing vegetation, and was making statements on a worse case scenario; that when considering the existing vegetation, the project site cannot be seen from Route 2. Mr. Froelich reviewed certain slides depicting photographs from Route 2 that were submitted under the August 5, 2025 submittal. Mr. Froelich also stated that with respect to the Town Comprehensive Plan identifying Route 7 as commercial and Route 2 as scenic, this project will not have any impact on the Route 2 view shed, and that Route 2 will continue to be a scenic area. Mr. Froelich reviewed certain slides, stating that the pictures provided the vantage points on Route 2 to the project location, and stated that you cannot see the project from Route 2. Mr. Froelich also stated that at the July meeting, the Planning Board was focusing on Garfield School, which was a key spot identified in the Visual Impact Assessment Report. Mr. Froelich confirmed that the Visual Impact Assessment Report recommended, or offered, landscaping for the Garfield school site, but this was not because there was a visual impact from that location, but rather to address a concern of the Planning Board. Mr. Froelich stated that there was a 1000 foot stretch of Creek Road from which the project site can be seen, but it is a distance of 2 miles and is visible only for about a 20 second period as a car is traveling along Creek Road, it would be a small part of the overall landscape. Regarding the McChesney Avenue Extension and Moonlawn Road corridors, Mr. Froelich stated that CVE North America had offered landscaping, and that CVE cannot state that the project will not be seen from McChesney Avenue Extension or Moonlawn Road, but had offered mitigation to address that visual impact. Mr. Froelich confirmed that there was a lot of concern in the Town regarding

conservation of natural beauty and critical view sheds within the Town, and that this project would be consistent with that Brunswick character; that the project is well protected, and is a perfect location for a large-scale solar facility. Mr. Froelich also stated during the site visit undertaken by certain Planning Board Members, many homes along the McChesney Avenue Extension and Moonlawn corridors could not be seen from the project site. Mr. Froelich requested that the Planning Board continue these discussions and consider the additional submittal made by CVE North America in connection with its determination of an environmental significance. Chairman Oster confirmed that he had been one of the Planning Board members that went on the site visit, and did confirm that he could not see certain houses along the McChesney Avenue Extension and Moonlawn Road corridors, but that this was in leaf-on conditions, and there would be a different result in leaf-off conditions. Chairman Oster also noted that a focus of the Planning Board is on top of the large field of the project site where solar panels would be located, and it was the top of the site with the large field that could be seen from Creek Road; Chairman Oster inquired whether CVE had considered moving the project site further downgradient so that the top section with the large field would not be used for solar panels. Mr. Froelich stated that CVE was trying to be considerate of not being too close to neighboring houses, and that the project did not go to the very top of the hill, and that the location of the solar panels tried to take into consideration both the neighboring homes as well as view shed issues. Chairman Oster asked whether CVE has considered downsizing the project to reduce its size. Mr. Froelich stated that the project has already been downsized due to interconnection limitations; that CVE would have liked to have had two (2) 5-MW projects, but due to interconnection limitations the project size was one (1) 5-MW project and one (1) 2.2-MW project. Mr. Froelich stated that the entire parcel would be purchased from the property owner, and that CVE North America was not proposing to use the

entire parcel for maximum solar production. Member Stancliffe asked whether CVE had considered phasing the project. Mr. Froelich stated that phasing the project was not practical from a business perspective; that the project would be built out at one time; and that phasing would not fully address any concern regarding visual impacts, but only delay those impacts. Chairman Oster confirmed that a Planning Board concern was the visual impact from the large size of the project, proposing 16,000 panels. Mr. Froelich stated the project size is a consideration, but that the large project on this particular location is well screened. Mr. Froelich stated that during the site visit undertaken by certain Planning Board members, there was discussion that there was a lot of screening already existing on the site. Chairman Oster confirmed that discussion, but also confirmed that the project is in close proximity to homes located on McChesney Avenue Extension. Mr. Froelich stated that an applicant cannot make its project invisible, and that any visual impacts from this project have been mitigated. Chairman Oster stated that a berm had been suggested to add additional visual screening, but this may raise a concern regarding stormwater management. Mr. Bonesteel confirmed, stating that a berm could be included, but this could raise other potential impact issues. Chairman Oster stated that on the issue of stormwater, comments received from the public have identified existing stormwater running into a ravine located along the lot line with a line of trees, and that there were already problems in the area concerning drainage. Attorney Ahearn stated that the project will be in compliance with NYS Stormwater Regulations, which state that the project cannot increase post-construction runoff from pre-construction conditions, and that the project comes to the site with existing conditions being considered. Chairman Oster stated that the issue of stormwater management for the site will continue to be reviewed by Mr. Bonesteel. Mr. Bonesteel confirmed that his office had reviewed the stormwater design and stormwater pollution prevention plans; that NYS regulations prohibited

any increase in stormwater discharge from pre-construction conditions; and that the project design for stormwater shows that the project will comply with this NYS stormwater requirement. Chairman Oster noted that letters have been submitted into the Planning Board; that these letters have been provided by the Building Department to the Planning Board; that the Planning Board takes these comments into consideration and may generate additional questions to the applicant; and that these comment letters and emails will be maintained in the file and considered during the public hearing. Member Henderson had certain questions regarding some of the photographs provided in the August 5 submission. Member Henderson also asked about other view shed locations, and Mr. Froelich responded that CVE has already provided visual impact from a number view shed locations that had been previously identified by the Planning Board. Member Henderson had a question regarding view shed impacts from Meadowview. Mr. Froelich stated that if the Planning Board members wanted any other vantage points to be analyzed, please to identify them and CVE would undertake that visual assessment. Mr. Froelich stated that under SEQRA, the project will not result in any significant adverse visual impacts; this does not mean that the project cannot be seen, but that the visual impact is not significant. Member Czjorny stated that the project could be seen from Creek Road, Garfield school, and other locations. Chairman Oster noted that the slide presentation included within the August 5<sup>th</sup> submission by CVE was intended to put this discussion regarding visual impact from Route 2 into context. Mr. Froelich confirmed that was the intent. Mr. Bonesteel stated that the Visual Impact Assessment Report submitted by CVE was unclear concerning the statement of 50% of the view shed area having the project site visible from Route 2, and that the issue was whether the existing vegetation impacted that statement, and that the additional information submitted on August 5 would be considered during the project review. Member Peterson asked who the current owner of the project site is.

Mr. Froelich stated that it is still owned by Begian, is under contract, but has not closed yet. Mr. Froelich also stated that the project site is 33 acres of a total 100-acre parcel. In that regard, Mr. Froelich stated that it was a possibility that the remaining land on the parcel could be kept in conservation. Member Stancliffe noted that in the typical solar farm situation, the property was under lease with the current owner, and that at the end of the lease term the property reverted to the current owner who could then put the property into other use, and questioned what would happen when the solar company owned the project site and the project ends in 25 or 35 years. Mr. Froelich stated that the land would continue to have value; that the land could still be used for power production, or the project could be dismantled and the property used for other purposes, including agricultural or residential use, and that a decommissioning bond will be in place to ensure that the solar equipment decommissioning did occur. The Planning Board then had discussion concerning how property taxes would be handled, including any potential PILOT agreement. Chairman Oster stated in terms of procedure, the next step for the Planning Board is to conclude its determination of environmental significance, which would include finalizing the SEQRA EAF Part 2 and reviewing the Part 3. Chairman Oster stated the Planning Board should consider the information provided by CVE in its August 5 submission and discussed at this meeting as part of its overall determination of environmental significance under SEQRA. Chairman Oster also noted that he would like to further review stormwater management issues with Mr. Bonesteel. It was determined that the Planning Board will continue its discussion of finalizing its SEQRA determination at the first meeting to be held in September, and specifically on September 4.

The second item of business on the agenda was the application to amend special use permit and site plan approval submitted by Zachary Froio/Freedom Arms. Zachary Froio was present. Chairman Oster confirmed that Mr. Froio had submitted an updated site plan addressing the issues

discussed at the July 17 meeting, including additional detail on parking and lighting. Chairman Oster again reviewed the procedural history associated with the application to amend the existing special use permit for this home occupation, with Attorney Gilchrist confirming that the Brunswick Zoning Board of Appeals had determined through Mr. Froio's appeal that the proposed project was consistent with the Brunswick Zoning Law. Upon further discussion, the Planning Board determined that the application for special use permit amendment as well as site plan was complete and all issues had been addressed, and Chairman Oster inquired whether there were any further questions or comments. Hearing none, Member Czornyj made a motion to adopt a negative declaration under SEQRA for this action, which motion was seconded by Member Henderson. The motion was unanimously approved, and a SEQRA negative declaration adopted for this action. Thereupon, Member Petersen made a motion to approve the requested amendment to the existing special use permit for this home occupation, subject to the following conditions: (1) a maximum of three (3) customers per week; (2) no more than one customer per day; (3) all customers coming to this location are by appointment only; (4) hours of operation for this home occupation are limited to Monday through Saturday, 8:00 am to 6:00 pm; and (5) no commercial signage is allowed at this location. Member Henderson seconded the motion subject to the stated conditions. The motion was unanimously approved, and the special use permit amendment granted. Thereupon, Chairman Oster made a motion to approve the site plan, which motion was seconded by Member Tarbox. The motion was unanimously approved, and the site plan approved in conjunction with the amendment to special use permit.

The third item of business on the agenda was the special use permit application submitted by John Debboli for property located at 34 Cranston Road. Mr. Debboli was present. Chairman Oster noted that this matter required area variances, and that the Brunswick Zoning Board of

Appeals had set a public hearing on the requested setback variances for its meeting to be held on August 18, 2025. Chairman Oster noted that the Planning Board cannot act until the Zoning Board of Appeals acts on the requested variances. Chairman Oster inquired whether Mr. Debboli had contacted his neighbors concerning this project. Mr. Debboli stated that he had spoken with one neighbor, who had no issue with the project, and that he had tried to contact another neighbor, but had not yet heard back from them. Chairman Oster inquired about any proposed tree removal in connection with the project. Mr. Debboli confirmed that a limited number of trees did need to be removed, but that there would not be any further ground disturbance as the area proposed for the projected solar array is already primarily open and level ground. Chairman Oster asked whether there would be any stormwater runoff in connection with the project. Mr. Debboli stated that it was not anticipated, as the area where the panels are proposed is generally flat and there was not much clearing required for the project. This matter is tentatively placed on the August 21 agenda, subject to action by the Zoning Board of Appeals on the requested variances. It was noted that a public hearing will be required for the special use permit, and in the event the Zoning Board of Appeals does grant the requested area variances at its meeting held August 18, a public hearing could be scheduled by the Planning Board at its August 21 meeting, but the public hearing would likely be for the September 18 meeting on notice. This matter is tentatively placed on the August 21 meeting for further discussion.

One item of new business was discussed.

An application for waiver of subdivision approval, in the nature of lot line adjustment, has been submitted by Elizabeth Reynolds for property located at 241 Bulson Road. Jacob Keaseby, Licensed Land Surveyor, was present for the applicant. Mr. Keaseby explained that this site was subject of a previously-approved subdivision, and that Ms. Reynolds is now seeking to obtain



approval for a lot line adjustment, adding a 2-acre area to Lot 3 that had been previously retained by Reynolds. Member Tarbox noted this was the 2-acre area directly adjacent to Bulson Road on which the old barn sits, and asked whether the vacant Lot 3 could be approved with just an accessory structure on it without a primary structure. The Planning Board noted that its past practice had been to approve such subdivisions, with a condition that a primary structure needed to be pursued within a certain time period, generally one-two years, or the accessory structure must be removed from the lot. This matter is placed on the August 21 agenda for further discussion.

The index for the August 7, 2025 regular meeting is as follows:

1. CVE North America – waiver of subdivision, special use permit, site plan – September 4, 2025.
2. Froio/Freedom Arms – amendment to special use permit and site plan – granted with conditions.
3. Debboli – special use permit – August 21, 2025.
4. Reynolds – waiver of subdivision – August 21, 2024.

The proposed agenda for the August 21, 2025 regular meeting currently is as follows:

1. Debboli – special use permit.
2. Reynolds – waiver of subdivision.
3. Paramount Building Group – major subdivision (tentative).
4. JJ Cillis – major subdivision (tentative).

Chairman Oster noted that he would not be present for the August 21 meeting. Member Tarbox will serve as Chair for the August 21 meeting.