

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD NOVEMBER 20, 2025

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

ABSENT was DONALD HENDERSON.

ALSO PRESENT were KEVIN MAINELLO, Brunswick Building Department, ANDREW GILCHRIST, 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 November 6, 2025 regular meeting were reviewed. Member Stancliffe noted one correction: on page 2, line 12, “wither” should be “whether.” Upon motion of Chairman Oster, seconded by Member Tarbox, the draft minutes of the November 6, 2025 regular meeting were unanimously approved subject to the noted correction.

The first 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 a draft Part 2 of the project’s Environmental Assessment Form (EAF) had been reviewed at the last meeting. Mr. Ruane stated that the applicant had made one change to Part 1 of the EAF since the last Planning Board meeting:

in Section D(2), the period of excavation for the project had changed from 3+ years to 1 year. Mr. Bonesteel stated that he had made two changes to Part 2 of the EAF since the last meeting based on comments from the Planning Board: on page 1, section 1(E), the project duration had been changed from a small impact to a moderate to large impact, and on page 5, section 8(D), the effect on agricultural land had also been changed from a small impact to a moderate to large impact. Mr. Bonesteel stated that the remainder of Part 2 of the EAF remained unchanged since the last meeting and that the Planning Board should continue to review Part 2 of the EAF. Mr. Ruane stated that the applicant had submitted written responses to the Planning Board considering the three sections marked “moderate to large impacts” in Part 2 of the EAF, with the responses citing NYS State Environmental Quality and Review Act (SEQRA) workbook guidance. Mr. Ruane stated that concerning the first section marked “moderate to large impact” in Part 2, the amount of material being removed during excavation, that in this case, the excavation was not for commercial purposes, but to meet final grading on the site, and that therefore, the amount of material being removed should be considered a small impact. Mr. Bonesteel stated that Mr. Ruane’s point was valid, and noted that that specific question on Part 2 of the EAF was designed to address commercial excavation, not grading for development. Member Tarbox asked when the clock for a construction exemption under NYS Department of Economic Conservation (DEC) standards began, specifically asking if that clock had already started for this project if the applicant had started selling gravel from the project site. Mr. Ruane stated that the clock started only after project approval and the start of construction, which Mr. Bonesteel agreed with. Chairman Oster asked if material had already been removed from the project site. Mr. Ruane confirmed that some material had been removed from the site. Attorney Gilchrist stated that the applicant could remove up to 750 cubic yards, or 1,000 tons, of material in a calendar year, but could not start the project, and

that the fact question here was for what purpose had the material already been removed from the site. Attorney Gilchrist stated that if the material had been removed from the site in furtherance of the project, then DEC may consider the clock on excavation to have started for the construction exemption. The Planning Board generally agreed with Mr. Ruane and Mr. Bonesteel on the excavation issue being a small impact. Mr. Ruane stated that concerning the second section marked “moderate to large impact” in Part 2, that project construction would last more than one year, that excavation and infrastructure preparation would last one to one-and-a-half years, with construction of the houses on the site being done separately, and that because the project was not proposed to be a five or more year multi-phased project, that excavation time should be considered a small impact. Mr. Bonesteel stated that many subdivisions constructed in the Town had taken more than one year to build out, and that the Planning Board needed to consider the scale of the project and total number of lots proposed to be constructed. Member Stancliffe stated that temporary construction impacts be may moderate to large, but that they may be small impacts post-construction. Member Tarbox stated that the applicant was proposing to remove 400,000 cubic yards of material from the site, and that the project as a whole would result in moderate to large impacts. Mr. Ruane reiterated that the applicant believed the length of time for the project was a small impact overall. Member Stancliffe asked if the number of truck trips proposed was relevant, noting that the applicant had previously proposed two years for excavation, and that shortening the excavation period to one year while removing the same amount of material meant that the number of proposed truck trips has doubled. Mr. Bonesteel stated that the proposed trucks trips within one year had been analyzed and did not meet the Institute of Transportation Engineers (ITE) thresholds for further study. Chairman Oster asked what would happen if excavation fell behind schedule and lasted for more than one year, specifically asking if the applicant would need to come

back before the Planning Board. Attorney Gilchrist stated that there was data in the record concerning one, one-and-a-half, and two years of potential excavation, and that the Planning Board needed to balance the impacts of excavation duration, specifically stating that a shorter excavation period could lead to potentially larger impacts from truck traffic, and that a larger excavation period could lead to lesser impacts from truck traffic. Attorney Gilchrist stated that the Planning Board could make a determination under SEQRA concerning a timeframe limit on the excavation period for the project. Attorney Gilchrist also stated that there could potentially be an issue with DEC if the excavation period went longer than two years and violated the DEC policy on the construction exemption. Chairman Oster stated that excavation of the site should be considered a moderate to large impact. Mr. Bonesteel stated that the Planning Board would need to weigh the impact of excavation on the site in Part 3 of the EAF if it was determined to be a moderate to large impact. Mr. Bonesteel asked the Planning Board members if the issue was the amount of material proposed to be removed, the duration of the excavation period, or the number of truck trips. Mr. Bonesteel also asked if the Planning Board members considered excavation of the site a short-term or long-term impact, and asked if there were mitigation measures that could be put into place. Chairman Oster stated that he thought excavation was a moderate to large impact due to the amount of material proposed to be removed from the site. Mr. Ruane stated that the amount of material proposed to be removed from the site had already been revised, and that the amount of material to be removed was now the minimum amount to keep the site level. Mr. Ruane also stated that based on the end product, that excavation should be considered a small impact. Attorney Gilchrist discussed SEQRA determinations, including possible mitigation measures for short-term construction impacts to be incorporated into the project, and that such measures should be discussed with Mr. Bonesteel and the project's engineer. Mr. Bonesteel agreed that mitigation

measures could be implemented, and that he could work with the project's engineer to revise the grading plan to reduce the amount of material being removed from the site. Mr. Bond stated that the grading plan had already been thoroughly analyzed, and that the applicant was trying to get a 5% grade for the road to be built on the site for safety. Chairman Oster asked where the Planning Board was procedurally. Attorney Gilchrist stated that the Planning Board was continuing its review of Part 2 of the EAF and that the Planning Board must have a full record before beginning Part 3 of the EAF. Mr. Ruane stated that concerning the third section marked "moderate to large impact" in Part 2, that the project would involve the irreversible conversion of more than 2.5 acres of agricultural land, that even though the project site is in an agricultural zoning district, that the land is not prone to agricultural purposes due to poor soils and topographical issues. Member Tarbox asked what types of soils were on the project site. Mr. Bond reviewed a soil survey submitted as part of the project's stormwater pollution prevention plan (SWPPP). Member Tarbox stated that even though no farming was currently being done on the land, that it had been farmed previously, and that therefore 13 acres of farmland in the Town would be lost forever for farming if the project was approved. Mr. Bonesteel stated that in terms of the agricultural impact, that the Planning Board must consider scale and magnitude of the project, as well as the current use of the land. Member Tarbox stated that the loss of farmland in the Town must be highlighted and that while the project would have a small agricultural impact to the surrounding neighborhood, it would have a large agricultural impact to the land itself. Member Kreiger agreed that if the project were approved, it could never be used for farming again. The Planning Board members agreed that the project would have a moderate to large impact to agricultural land. Mr. Ruane stated that even if the land was irreversibly altered, that it could still be considered a small impact, stating that it would be considered a small impact compared to if a large factory was built on the land. Chairman

Oster stated that all three sections of Part 2 of the EAF that had been marked as “moderate to large impacts” should remain marked as moderate to large impacts. Attorney Gilchrist discussed the SEQRA procedure regarding Parts 2 and 3 of the EAF, noted that some mitigation measures had already been taken by the applicant, and that further mitigation measures could be discussed between Mr. Bonesteel and Mr. Bond. Mr. Bonesteel stated that he needed input from the Planning Board members concerning the irreversible conversion of agricultural land due to the project. Member Stancliffe stated that analysis of the current viability of the agricultural land on the project site, despite the entire site being zoned agricultural, would be a good idea. Chairman Oster asked Mr. Bonesteel if the three sections discussed were small or moderate to large impacts. Mr. Bonesteel stated that that determination was up to the Planning Board and that he was only present to provide technical assistance, not make determinations. Mr. Ruane stated that he would prefer to address any moderate to large impacts now rather than later on in the process. Attorney Gilchrist stated that compiling and submitting a written excavation plan would help the Planning Board make a determination. This matter is tentatively placed on the December 4, 2025 agenda for further deliberation.

The Planning Board discussed four items of new business.

The first item of new business was a waiver of subdivision application submitted by Dominick Maselli for property located at 689-691 and 693 Hoosick Road. No one was present to review the application. This matter was tabled.

The second item of new business was a waiver of subdivision application submitted by David Mulinio for property located at 30 Stone Arabia Drive. Nick Costa, of Advance Engineering & Surveying, was present to review the application. Mr. Costa stated that there was currently a zoning map issue facing the project as the North 40 subdivision map and the Town zoning map

were not consistent regarding the project site. Mr. Costa stated that it was originally believed that the project site was in an R-25 residential zoning district, but that upon further investigation, it was determined that the project site is part of a Planned Development District (PDD). Chairman Oster asked if multiple parcels had previously been combined into the current one parcel that made up the project site. Mr. Costa confirmed that five small parcels had previously been combined into the one parcel that made up the project site, and that the applicant was proposing to subdivide that one parcel into two parcels. Attorney Gilchrist stated that the original PDD approval needed to be reviewed to determine if any conditions existed pertaining to re-subdividing lots within the PDD and that if such conditions existed, then they must apply to this project. Attorney Gilchrist asked if the original five lots were approved under the PDD, and Mr. Costa confirmed they were. Attorney Gilchrist asked if the merging of those five lots into the existing one lot had also been approved under the PDD, and Mr. Costa confirmed that it had been. This matter is placed on the December 4, 2025 agenda for further deliberation.

The Planning Board then returned to the first item of new business, noting that the Board could still review the application even if no one was present to review the project. Mr. Mainello stated that the applicant was proposing a lot line adjustment so the land with a sign currently on it could be part of the bigger of the two parcels. This matter is placed on the December 4, 2025 agenda for further deliberation.

The third item of new business was a waiver of subdivision application submitted by Sean Gallivan for property located on Deepkill Road. Jacob Keasbey, LLS, of Keasbey Land Surveying, was present to review the application. Mr. Keasbey stated that the applicant was seeking a lot line adjustment between Lots 1 and 2 of a previously-approved three-lot subdivision to accommodate the driveways for each lot, and that no new lots would be created. Member Tarbox asked if

construction had started on the project site. Mr. Keasbey stated that construction had not begun on either Lots 1 or 2. Mr. Bonesteel stated that he had no comments on the application at that time. This matter is placed on the December 4, 2025 agenda for further deliberation.

The fourth item of new business was applications for site plan and a special use permit submitted by Tranquility Bookshop, LLC for property located at 902 Hoosick Road. Andrew Gilchrist, Jeanne Gilchrist, and Jacob Keasbey, LLS, of Keasbey Land Surveying, were present to review the application. Attorney Gilchrist recused himself as he was one of the applicants, and stated that Chris Langlois, Esq., who would become the new Planning Board attorney in January 2026, was present and available to provide legal counsel on this application. Mr. Keasbey stated that the applicants were seeking to renovate the property and convert it into a bookstore, and that the only major change to the site would be the addition of parking spaces. Attorney Gilchrist stated that he was retiring from the practice of law at the end of 2025, and that it had been an honor and a privilege to have served as counsel to the Planning Board for so many years. Attorney Gilchrist briefly reviewed the project site, stated that it was located in a Business Light zoning district, that the proposed use for the site was a bookstore, and that retail is a permitted use in a Business Light zoning district under the Brunswick Zoning Law. Attorney Gilchrist stated that he and his wife were seeking to convert the current residential structure into a retail use and that the structure is approximately 2,100 square feet, which requires site plan review and a special use permit, noting that site plan review is only required for retail uses up to 2,000 square feet and that because the project site exceeded that, a special use permit was also required. Attorney Gilchrist stated that site plan and special use permit applications had been submitted, with a supplement to the special use permit application to address special use permit review standards. Attorney Gilchrist described the surrounding land uses, including commercial to the east (a realtor's office), and residential to the

west. Attorney Gilchrist stated that the project layout was designed to have parking adjacent to the existing commercial site and maintain the residential character to the west. Attorney Gilchrist also asked the Planning Board members to review the application materials and to be placed on the agenda for the second Planning Board meeting in December for further discussion. Chairman Oster stated that it had been an honor and a privilege to have had Attorney Gilchrist represent the Planning Board for so many years, which all Planning Board members agreed with. Chairman Oster asked how many parking spaces were being proposed. Attorney Gilchrist stated that four parking spaces were required for every 1,000 square feet, and that since the project site was approximately 2,100 square feet, eight parking spaces and one handicapped spot were being proposed. This matter is placed on the December 18, 2025 agenda for further deliberation.

The Planning Board discussed one item of old business.

The one item of old business was a previously-approved major subdivision application submitted by Jim Cillis for property located on the east side of Cole Lane. Mr. Mainello stated that Russ Reeves, the project manager, wanted to come before the Planning Board and provide an update on the project. This matter is placed on the December 4, 2025 agenda for further deliberation.

The index for the November 20, 2025 regular meeting is as follows:

1. Paramount Building Group – major subdivision (December 4, 2025).
2. Maselli – waiver of subdivision (December 4, 2025).
3. Mulinio – waiver of subdivision (December 4, 2025).
4. Gallivan – waiver of subdivision (December 4, 2025).
5. Tranquility Bookshop – site plan and special use permit (December 18, 2025).
6. Cillis – major subdivision (December 4, 2025).

The proposed agenda for the December 4, 2025 regular meeting is as follows:

1. Maselli – waiver of subdivision.
2. Mulinio – waiver of subdivision.
3. Paramount Building Group – major subdivision (tentative).
4. National Grid – site plan and special use permit.
5. Gallivan – waiver of subdivision.
6. Cillis – major subdivision (update).

The proposed agenda for the December 18, 2025 regular meeting is as follows:

1. Tranquility Bookshop – site plan and special use permit.