

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD APRIL 2, 2026

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

ALSO PRESENT were KEVIN MAINELLO, Brunswick Building Department, CHRISTOPHER LANGLOIS, ESQ., Attorney to the Planning Board, and WAYNE BONESTEEL, P.E., Review Engineer to the Planning Board.

Chairman Oster reviewed the agenda for the meeting, as posted on the Town sign board and Town website.

The draft minutes of the March 5, 2026 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the March 5, 2026 regular meeting were unanimously approved without amendment.

Chairman Oster stated that the draft minutes of the last Planning Board meeting held on March 19, 2026 were not available, but would be completed by and reviewed at the next Planning Board meeting.

The first item of business on the agenda was a public hearing concerning the applications for site plan and a special use permit submitted by Kyle Smith for property located at 1691 NYS Route 7. Kyle Smith was present to review the applications. Chairman Oster read the procedure for a public hearing held by the Planning Board. Attorney Langlois read the Notice of Public

Hearing into the record, with the Notice having been published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to the owners of all properties within 300 feet of the project site. Chairman Oster asked the applicant to briefly review the project for the public, and asked if there had been any changes to the application since he was last before the Planning Board on March 5. Mr. Smith stated that no changes had been made to the application since the March 5 meeting, that he was proposing to construct a 24-foot by 24-foot building with a carport, and that the building would be used for office space. Chairman Oster opened the public hearing on the application. There were no public comments on the application. There were no questions or comments from the Planning Board members. Chairman Oster made a motion to close the public hearing, which was seconded by Member Tarbox. The motion was unanimously approved and the public hearing was closed.

The second item of business on the agenda was the continuation of a public hearing concerning the minor subdivision application submitted by Rebecca Fischer for property located at 842 Tamarac Road. Mark Danskin and Paul Engster, Esq. were present to review the application. Mr. Danskin stated that the project was a more than 80-acre parcel that was being proposed to be subdivided into three lots: two building lots of approximately five acres each, and one remainder lot of approximately 70 acres. Mr. Danskin also stated that a private road maintenance agreement would be signed by the owners of the three parcels. Chairman Oster then reopened the public hearing on the application. Charles Bulson, of 63 Indian Creek Lane, stated that Morgan Waters, of 64 Indian Creek Lane, was not able to present at the current meeting, and that Mr. Waters wanted more time to review the underground powerlines on the site, over which a roadway was proposed, with National Grid. Mr. Bulson stated that he also wanted more time to review the application materials, specifically regarding ponds on the site, and to review the regulations for ponds under

the Town Zoning Code. Mr. Bulson stated that he had reviewed information on the proposed roadway with the Town Building Department before the current meeting and noted that no grading plan had been submitted, and that it was unclear how the proposed roadway would affect his property. Mr. Bulson reviewed the site map and noted that elevations were not listed. Mr. Danskin noted that the ponds mentioned by Mr. Bulson were not actually on the applicant's property. Mr. Bulson returned to the site map, stating that the elevations for the proposed roadway needed to be known to avoid flooding. Mr. Engster reviewed several photographs of the area where the roadway was proposed to be built, which he had taken earlier that week, and noted that water would need to travel uphill to flow into the pond mentioned by Mr. Bulson. Mr. Engster also stated that the proposed roadway would be made of gravel, not fill, which would affect the flow of stormwater. The Planning Board discussed site elevations. Mr. Bulson stated that he wanted a professional surveyor to survey the property to confirm that the pins in the ground establishing the property lines were accurate. Mr. Engster reviewed the pictures he had taken again, noting that the pond on Mr. Bulson's property that he was concerned with was higher in elevation than the land around it, reiterating that water would need to travel uphill to flow into that pond. Mr. Bulson clarified that the corner of his pond was at issue, that the pictures taken and presented by Mr. Engster did not depict an existing waterway, and that grading lines on the site map would confirm the issue he was raising. Chairman Oster interjected, asking what specifically was at issue. Mr. Bulson stated that he believed the roadway, as currently proposed to be constructed, could affect the flow of water draining into the pond on his property. Chairman Oster asked if installing a culvert would solve the potential issue. Mr. Danskin stated that the pond in question already receives groundwater, and asked where such a culvert would drain to. Chairman Oster asked if the roadway could cause minimal disturbance to the pond in question. Mr. Danskin confirmed minimal disturbance was

possible. Member John Mainello asked to confirm that there was no existing stream between the pond on Mr. Bulson's property and the nearby pond. Mr. Danskin confirmed that there was no stream between the two ponds. Mr. Bulson stated that there was a waterway to his pond, which he reiterated was not shown on the pictures taken by Mr. Engster, and that he wanted that waterway preserved. Mr. Bulson also stated that he wanted a buffer installed to preserve his agricultural land. Chairman Oster asked Mr. Bulson what type of buffer he was requesting. Mr. Bulson stated that the type of buffer could be left up to the applicant, but that it must catch runoff water. Member Czornyj noted that a buffer would affect the nearby pond as well, not just the pond on Mr. Bulson's property. Member Czornyj also asked if the waterflow was above or below ground. Member Mainello asked what the width of the proposed roadway would be. Mr. Danskin stated that the roadway would be 16 feet wide. Chairman Oster noted that the previously-mentioned underground electrical line would be addressed by the applicant. Chairman Oster asked if the wetlands on the site were under the jurisdiction of NYS Department of Environmental Conservation (DEC), and Mr. Bulson confirmed that they were. Mr. Danskin disagreed, stating that he had discussed the wetlands on the site with Bill Bradley, of the Brunswick Water Department, and that the wetlands were not under the jurisdiction of DEC. The Planning Board further discussed the photos of the location of the proposed roadway taken by Mr. Engster, as well as photos of the same area taken by Mr. Bulson at a different time. The Planning Board determined to close the public hearing. Member Tarbox made a motion to close the public hearing, which was seconded by Member Mainello. The motion was unanimously approved and the public hearing was closed.

The first item of business on the agenda was applications for site plan and a special use permit submitted by Kyle Smith for property located at 1691 NYS Route 7. Kyle Smith was present to review the applications. Chairman Oster stated that there had been no public comments made at

the public hearing, so there was no need for the submission of written responses. Kevin Mainello stated that the Town had received a letter from the Rensselaer County Bureau of Economic Development and Planning stating that the project would not have a major impact on County plans and that local consideration shall prevail. Chairman Oster asked Mr. Bonesteel if all of his comments had been addressed, and Mr. Bonesteel confirmed that they had been. Member Tarbox made a motion to adopt a negative declaration on the project under SEQRA, which was seconded by Member Kreiger. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Member Henderson made a motion to approve the special use permit, which was seconded by Member John Mainello. The Planning Board voted unanimously to approve the special use permit. Member Tarbox stated that the Brunswick Fire Department had requested that a Knox Box be added to the site. Member Kreiger made a motion to approve the site plan application, subject to the condition that a Knox Box be installed, which was seconded by Member Stancliffe. The Planning Board voted unanimously to approve the site plan application subject to the stated condition.

The second item of business on the agenda was the minor subdivision application submitted by Rebecca Fischer for property located at 842 Tamarac Road. Mark Danskin and Paul Engster, Esq. were present to review the application. Chairman Oster stated that the Planning Board had received written responses from Mr. Engster to comments made at the public hearing started at the March 19 meeting, and asked Mr. Engster to review those responses. Mr. Engster stated that the existence of an underground powerline, which ran beneath the applicant's property to the property of Morgan Waters, had been brought up at the public hearing. Mr. Engster stated that the applicant had not been aware of this underground powerline, but that that powerline would be identified and nothing would be built over or near it. The Planning Board discussed that powerline, and other

powerlines on and near the project site, including specific locations and which properties got power from which powerlines. Attorney Langlois noted that a comment had been made at the public hearing about installing a 100-300 foot buffer on the project site, that the written responses did not discuss the nature of the buffer, and that a supplemental response should be submitted further discussing such a buffer. Mr. Engster stated that he did not believe a buffer was required and that the section of the Town Zoning Code cited as requiring a buffer did not apply in this case. Attorney Langlois asked Mr. Engster why he did not believe that section applied in this case. Mr. Engster stated that the adjacent parcel owned by Mr. Bulson was not a full farm operation, meaning that a buffer to protect agricultural land was not necessary, and that the project site and adjacent parcel had the same zoning. Mr. Danskin added that there was over 1,000 feet between the applicant's land and the adjacent parcel, most of which was wooded. Mr. Danskin examined the site map and determined that there was approximately 1,100 feet of wooded land between the property lines. Attorney Langlois cited Section 160-31 in the Brunswick Zoning Code, which concerned agriculture, specifically Subsection D, which defined where buffers were required and what constituted a buffer. Member John Mainello stated that the 1,100 feet of woodlands already acted as a natural buffer. Chairman Oster noted that the Planning Board members had only received the written responses to comments earlier that day, and that he wanted time to review them in detail. Member Tarbox asked if a map could be produced showing existing powerlines and the flow of electricity through the project site and adjacent parcels. The Planning Board further discussed powerlines on and near the project site. Member Stancliffe asked if the existing right-of-way could be moved. Mr. Danskin stated that he did not know, but if it could, it would be very difficult. Mr. Bonesteel asked if the wetlands on the site were delineated, and Mr. Danskin stated that they were not. Mr. Bonesteel stated that the wetlands not being delineated should be shown on the site map.

Mr. Danskin stated that he did not believe that was necessary. Mr. Engster asked why the delineation of the wetlands was a concern. Mr. Bonesteel stated that it was brought up at the public hearing and should therefore be addressed. Mr. Danskin stated that the wetlands were not actually on the applicant's property. Mr. Bonesteel reiterated that the wetlands and whether they were delineated should be shown, as their location would help determine whether a buffer was required. Mr. Bonesteel stated that drainage patterns also could not be disrupted. Mr. Bonesteel also stated that he was waiting for responses to comments made on the project's erosion and sediment control plan. This matter was placed on the April 16, 2026 agenda for further deliberation.

The third 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. This matter was tabled prior to the meeting, and was placed on the April 16, 2026 agenda for further deliberation.

The fourth item of business on the agenda was a site plan application submitted by Richard Valverde for property located at 721 Hoosick Road. Andrew Brick, Esq. and Kevin Hickson, of BL Companies, were present to review the application. Mr. Brick stated that additional documents had been submitted since the applicant was last before the Planning Board on March 5 and that he believed the application was complete for the purpose of holding a public hearing. Chairman Oster asked how far the B-15 business zoning district that the project site was a part of extended up Mohawk Avenue. Kevin Mainello stated that he believed that B-15 zoning district extended 500 feet up Mohawk Avenue. Mr. Hickson stated that the full application had been submitted since the March 5 Planning Board meeting, and noted that a drainage report, a full Environmental Assessment Form (EAF), a traffic report, and a geotechnical report had been submitted with the application. Mr. Hickson stated that the back of the site sloped upward, so the applicant would be

raising the front of the site to decrease how steep that slope was. Mr. Hickson stated that the applicant was proposing to demolish the existing building on the site and construct a new building to serve as the Mavis Tire store. Mr. Hickson stated that the applicant was proposing 25 parking spaces, and that the applicant would request a waiver for the required buffer. Chairman Oster asked if that waiver for a buffer would need approval from the Zoning Board, and Kevin Mainello confirmed that it would. Mr. Brick reviewed Section 160-44 in the Brunswick Zoning Code, which concerned parking and loading standards, and which allowed for the waiving of certain design standards for commercial sites. Mr. Brick also stated that the applicant believed bays inside the proposed building for cars could be counted as parking spots. Member John Mainello asked about the proposed parking spaces and access to those parking spaces. Member Stancliffe asked if the proposed retaining wall was required. Kevin Mainello stated that he was unsure about considering bays inside the building as parking spaces, as cars at those bays were being worked on, not parked. Chairman Oster suggested a solid fence be installed along the back of the property instead of the proposed line of trees. Mr. Hickson stated that a solid fence could be considered. Member Henderson asked how tall the currently-proposed trees along the back property line would be. Mr. Hickson stated that those trees would be 6-7 feet tall, that they would be at a higher elevation than the building, and that the trees would grow 2-3 feet a year. Chairman Oster asked about lighting on the site. Mr. Hickson stated that lights would be placed on the building, and reviewed where they would be on the site map. Member Henderson asked why the lights were proposed to be kept on several hours after the store was proposed to close. Mr. Hickson reviewed the hours of operation, stating that the store would be open 8:00 AM to 6:00 PM on Mondays, Tuesdays, Wednesdays, and Fridays; 8:00 AM to 8:30 PM on Thursdays; 8:00 AM to 5:00 PM on Saturdays; and 9:00 AM to 5:00 PM on Sundays. Member Henderson stated that the lights should not stay on

more than one hour after the store closed. Member Henderson asked about the project site's safety plan. Mr. Hickson briefly reviewed the safety plan. Member Tarbox asked if the Mavis Tire store in downtown Troy would stay open if this project were to be approved. Mr. Hickson stated that he did not know, but would check. Member Tarbox noted that customers of the existing Mavis Tire store in Troy would likely come to the Brunswick store if the Troy store were to close, which would further increase traffic along Hoosick Road. Mr. Bonesteel stated that he had started reviewing the plans, including the full EAF, and noted a few brief comments on the EAF. Mr. Bonesteel asked about the discharge of stormwater, and Mr. Hickson briefly reviewed the drainage plan for the site. Mr. Hickson also stated that the retaining wall at the front of the site would look the same as the wall in front of the QuickChek convenience store across Mohawk Avenue, but would only be 7 feet high as opposed to 10 feet. The Planning Board discussed the retaining wall proposed for the front of the site, noting that it had initially been proposed to be 3 feet high, then 5-6 feet high, and was now proposed to be 7 feet high. Mr. Hickson stated that the height of the retaining wall had increased as the site design got more specific, and that the increased height was due to the elevation of the site. Kevin Mainello suggested that the Planning Board request a rendering of what the proposed retaining wall would look like from Hoosick Road. Member John Mainello agreed, and suggested multiple renderings be submitted showing the retaining wall at different times of day. Member Czornyj suggested that a rendering of what the retaining wall would look like driving down Mohawk Avenue to Hoosick Road be submitted as well. Member Stancliffe advised Mr. Hickson to review Section 160-43 of the Brunswick Zoning Code, which concerned motor vehicle repair shops and service stations, when reviewing and revising the plans. Chairman Oster asked Mr. Bonesteel if he had reviewed the project's traffic study, and Mr.

Bonesteel stated that he was currently reviewing it. This matter was placed on the April 16, 2026 agenda for further deliberation.

There were no items of new business to discuss.

The Planning Board discussed one item of old business.

Andrew Brick, Esq. asked if an extension for the previously-approved Brunswick Acres major subdivision application submitted by Brunswick Road Development, LLC for property located along NYS Route 2 could be added to the agenda for the next meeting, as the applicant was close to meeting all conditions placed on the approval of the project. This matter was placed on the April 16, 2026 agenda.

The index for the April 2, 2026 regular meeting is as follows:

1. K. Smith – site plan and special use permit (approved with condition).
2. Fischer – minor subdivision (April 16, 2026).
3. Mavis Tire – site plan (April 16, 2026).
4. Brunswick Acres – major subdivision approval extension (April 16, 2026).

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

1. AT&T – amendments to site plans and special use permits
(public hearing to commence at 7:00pm).
2. Fischer – minor subdivision.
3. Paramount Building Group – major subdivision.
4. Mavis Tire – site plan.
5. Brunswick Acres – major subdivision approval extension.