

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD MAY 7, 2026

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

ABSENT was J. EMIL KREIGER.

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 first item of business on the agenda was the minor subdivision application submitted by Rebecca Fischer for property located at 842 Tamarac Road. No one was present to review the application. Kevin Mainello stated that the applicant was still reviewing the wetlands on the site. Attorney Langlois stated that Martin Miranda, Esq., attorney for Charles Bulson, was present at the meeting, that Mr. Miranda had submitted a memorandum to the Planning Board on behalf of Mr. Bulson, and that that memorandum had been distributed to the Planning Board members before the current meeting. Chairman Oster noted that the public hearing on the application had been closed at the April 2 meeting, and asked if the Planning Board could legally accept the memorandum. Attorney Langlois stated that the Planning Board could accept the memorandum, but that the Board should be consistent with precedent of whether to accept additional comments

after a public hearing had been closed. Chairman Oster stated that in the past, the Planning Board had accepted additional written comments after the closing of a public hearing, but that such comments were not considered part of the record. Chairman Oster asked if the memorandum should be given to the applicant and her representatives. Attorney Langlois confirmed that the memorandum should be given to the applicant. Chairman Oster asked Mr. Miranda if he had any objection to the memorandum being given to the applicant, and he did not. Mr. Miranda stated that he was asking that the Planning Board reopen the public hearing on the application due to new information. Attorney Langlois stated that the Planning Board did not have to make a determination on whether to reopen the public hearing on the application at the current meeting.

The second item of business on the agenda was a site plan application submitted by Richard Valverde for property located at 721 Hoosick Road. Kevin Hixson, of BL Companies, and Gordon Stansbury, of GTS Consulting, were present to review the application. Chairman Oster stated that the Planning Board had received a large submission of documents from the applicant since the applicant was last before the Board on April 2. Mr. Hixson handed out a new rendering of the site to the Planning Board members, which he then reviewed. Mr. Hixson stated that a tree report, a lighting report, a traffic report, screening information, and a Statement of Operations were among the documents submitted. Mr. Hixson then reviewed an overview of the site and the renderings he had just handed out, noting that the proposed building would be 22 feet 4 inches tall. Chairman Oster asked to confirm that only one curb cut was proposed, which Mr. Hixson confirmed. Chairman Oster asked what types of bricks would be used in the proposed retaining wall on the site. Mr. Hixson stated that small bricks would be used, and that those bricks would be significantly smaller than the bricks used for the retaining wall at the QuickChek convenience store directly across from Mohawk Avenue. Chairman Oster noted that the retaining wall on the QuickChek site

was lighter in color than had been anticipated. Mr. Hixson stated that the applicant had no preference for the color of the retaining wall and was willing to work with the Town to select the most desired color for the wall. Mr. Hixson then reviewed another rendering of the site from the other side of Hoosick Road. Mr. Hixson stated that six foot tall trees were proposed to be planted at the rear of the site for screening and that additional landscaping was also proposed. Member Stancliffe asked if the stormwater plan accounted for the light poles on the site. Mr. Hixson confirmed that it did, and that the concrete bases for the light poles would not create a stormwater issue. Mr. Hixson then briefly reviewed the project's stormwater pollution prevention plan (SWPPP). Chairman Oster asked where snow would be moved in the winter months, noting that the Town had jurisdiction over the sidewalks near the site, and if the landscaping on the site could be affected by snow removal. Mr. Hixson reviewed the snow removal procedure for the site. Chairman Oster asked about hours of operation, and if the Mavis Tire store would be open seven days a week. Mr. Hixson confirmed that the building was proposed to be open seven days a week. Chairman Oster stated that he had major concerns with the noise being produced on the site being produced seven days a week. Mr. Hixson stated that the applicant could submit a sound level report to the Planning Board. Member Henderson stated that he had questions about stormwater. Mr. Bonesteel noted that stormwater issues were addressed in the SWPPP. Member Henderson asked how the site would handle a major storm. Mr. Hixson reviewed the section of the SWPPP discussing large storm mitigation. Chairman Oster asked about holiday hours for the store and what holidays the store would be closed. Mr. Hixson stated that he did not know, but would check with the applicant. Mr. Hixson then reviewed the tree and landscaping reports. Member John Mainello noted that Bill Bradley, of the Brunswick Water Department, had submitted a letter concerning the project site. Mr. Bonesteel stated that the applicant had not received a copy of that

letter yet. Mr. Stansbury then reviewed the site's traffic analysis. Member Henderson asked how the proposed traffic for this site compared to the traffic at other existing Mavis Tire locations. Mr. Stansbury stated that very similar levels of traffic were anticipated, that there would only be a small increase in overall traffic to that section of Hoosick Road due to the project, and that there would not be a consistent flow of traffic to and from the site. Member Czornyj asked if the applicant had considered a "right turn only" sign from Mohawk Avenue onto Hoosick Road. Mr. Stansbury stated that a "right turn only" sign had not been considered, but could be. Member John Mainello agreed that such a sign would help with traffic, as one car waiting to turn left onto Hoosick Road would be waiting a long time and cause a backup. The Planning Board discussed traffic exiting Mohawk Avenue onto Hoosick Road, and considered whether cars would drive from the project site, across Mohawk Avenue, and through the QuickChek site to the nearby traffic light. Member John Mainello asked if the Town had jurisdiction to install a "local traffic only" sign on or near the project site. Attorney Langlois stated that he would research that issue. Member Stancliffe asked if there would be any other access points to the site. Mr. Stansbury reviewed the site layout. Chairman Oster brought up the letter from Bill Bradley referenced by Member John Mainello earlier. Mr. Bonesteel stated that there was an existing water pit at the front of the site that the applicant was proposing to move, but that that water pit must stay, and that there was an easement issue as well. Mr. Hixson stated that he would schedule a meeting with Mr. Bradley to discuss those issues directly. Mr. Bonesteel asked if the applicant had discussed the project with NYS Department of Transportation (DOT) yet. Mr. Hixson stated that no discussions had been had with NYS DOT yet. Mr. Bonesteel also asked that the applicant send him copies of the plans and all supporting documents digitally, and Mr. Hixson confirmed that he would. Member John Mainello noted that the applicant had previously stated that car bays inside the Mavis Tire building

were proposed to be counted as parking spots, and asked if that would be allowed. Kevin Mainello stated that bays inside the building would not be counted as parking spots. This matter was placed on the May 21, 2026 agenda for further deliberation.

The third item of business on the agenda was a major subdivision application submitted by Jim Cillis for property located on Cole Lane. No one was present to review the application. This matter was adjourned without date.

The fourth item of business on the agenda was an application for a major subdivision approval extension submitted by Brunswick Road Development, LLC for property located along NYS Route 2. J.R. Casale and Anthony Casale were present to review the application. Chairman Oster stated that the Planning Board had received documents from the applicant earlier that week concerning the project, including a letter from Andrew Brick, Esq. to the Brunswick Building Department dated August 15, 2025 requesting to be put on the agenda for the next Planning Board meeting to discuss another extension on the approval of the project. Attorney Langlois briefly reviewed the history of the project: conditional approval had been granted by the Planning Board in August 2024, with the applicant having 180 days to meet all conditions; that the first 90-day extension of the conditional approval had been granted in February 2025; that the second 90-day extension of the conditional approval had been granted in May 2025; and that Mr. Brick had submitted a letter dated August 15, 2025 requesting to be put on the agenda for the next Planning Board meeting to discuss a third extension of the conditional approval. J.R. Casale stated that he had spoken extensively with both Kevin Mainello and Brunswick Supervisor Phil Herrington concerning the conditions on the approval following the Planning Board approving the project, that he was at one point speaking to Mr. Mainello at least once a week, and that he was under the impression that as long as he was “working diligently” on meeting the conditions, that there would

be no issue. Mr. Casale stated that one condition, concerning obtaining an easement from National Grid, had been extremely delayed, but that he was expecting to finally obtain that easement over the summer. Mr. Casale also stated that it was his understanding that Andrew Gilchrist, Esq., former attorney to the Planning Board until January 1, 2026, was the one who had told Mr. Brick that no more 90-day extensions were required. Attorney Langlois stated that there was no evidence of Mr. Gilchrist telling Mr. Brick that no more 90-day extensions were required in the documents Mr. Brick had submitted, even though he had requested some sort of written correspondence of such a discussion from Mr. Brick at the last Planning Board meeting. Attorney Langlois also stated that four total extensions on the approval of the project were being requested: three retroactive extensions and one current extension. Member John Mainello asked if retroactive extensions were legally allowed. Attorney Langlois stated that he had asked Mr. Brick to submit documentation, such as case law, stating that retroactive extensions were legal, but that such documentation had not been submitted. Attorney Langlois stated that he had also researched the issue and could not find any evidence that retroactive extensions could or could not be granted. Chairman Oster asked if the applicant had any conditions other than obtaining the easement from National Grid to meet. Mr. Casale stated that the easement from National Grid was the only condition still needing to be met. Kevin Mainello then briefly reviewed all conditions that needed to be met by the applicant according to the conditional approval of the project, and Mr. Casale confirmed that all other conditions had been met. Member Tarbox stated that he was concerned that granting a retroactive extension on the project would set a precedent. Attorney Langlois stated that that was a good point, noting that the Planning Board would need to follow its decision in this case if another applicant were to request a retroactive extension in the future. Attorney Langlois then reiterated that NYS statutes did not state whether retroactive extensions were allowed or not. Member Stancliffe noted

that if the applicant chose to resubmit the application, with all supporting documents, before the next Planning Board meeting, then a public hearing could be scheduled and held, and the project potentially approved with the same conditions, before the easement from National Grid was obtained that summer, meaning that it may be easier for the applicant to resubmit the application again than force the Planning Board to decide on whether to retroactively extend the approval of the current project. Attorney Langlois noted that the application had already been resubmitted after expiring, having been resubmitted the first time in June 2024 and approved in August 2024, with the entire process taking about 2.5 months. Chairman Oster stated that he thought the applicant resubmitting the application again would be the better option. The Planning Board discussed the procedure for the applicant resubmitting the application a second time. Mr. Casale stated that he was withdrawing his request for an extension of the current approval, confirmed that the current approval had expired, and that he would submit a new application to the Planning Board. Mr. Bonesteel confirmed that he would act as Review Engineer when the application was resubmitted.

The Planning Board discussed two items of new business.

The first item of new business was a waiver of subdivision application submitted by Jason Hoag for property located on Broadview Court. No one was present to review the application. Chairman Oster explained that the applicant was seeking to subdivide one lot into two lots, and convey vacant land from a third parcel to the owner of one of the two newly-created lots without merging it into either of those two newly-created lots; however, the vacant land is separated from the one parcel to be subdivided into two parcels by a small creek which had been identified by NYS Department of Environmental Conservation (DEC) as a Class A stream, which meant that certain regulations needed to be abided by. Chairman Oster stated that a lot line adjustment would be easier in this case than a waiver of subdivision. Chairman Oster also noted that there would be

an issue with road access to one of the newly-created lots if the application as currently proposed were to be approved. Mr. Bonesteel noted that the applicant did not want to merge the vacant land with either of the two newly-created lots, he just wanted to convey it to someone else, and that the applicant was basically proposing two separate actions on the same application. Mr. Bonesteel stated that if the applicant merged the vacant land into one of the two newly-created lots, there would be no issue. Mr. Bonesteel also stated that he did not know why the creek on the site had been classified as a Class A stream by NYS DEC, as Class A streams are streams that can be used as drinking water, but confirmed that DEC had in fact classified it that way. This matter was placed on the May 21, 2026 agenda for further deliberation.

The second item of new business was an application for an amendment to a previously-approved site plan submitted by Carroll's, LLC and Joshua Bazis for property located at 747 Hoosick Road. Craig Tripp, RLA, of Greenman-Pedersen, Inc., was present to review the application. Mr. Tripp stated that the project was several upgrades to the existing Burger King fast food restaurant on the site, and that the applicant was specifically proposing branding upgrades and site improvements. Mr. Tripp stated that due to the proposed site upgrades, the total number of parking spots on the site was decreasing from 72 spots to 66 spots, which was still more than required. Mr. Tripp stated that the major upgrades to the site were the addition of a second drive-through lane and menu board, moving the dumpster behind the site to the back corner of the site, and the addition of another handicapped parking spot. Mr. Tripp stated that there were no new utility connections proposed, and that while no major changes to the stormwater system were proposed, a new catch basin was proposed to be installed at the back of the site. Kevin Mainello asked if the applicant was proposing to connect the site to the existing sidewalk along Hoosick Road. Mr. Tripp stated that such a connection was considered, but was not being proposed due to

how steep the grade was between the site and that sidewalk. Chairman Oster asked if this application should be considered an amendment to a previously-approved site plan application, or a new application. Kevin Mainello stated that it was being considered an amendment to a previously-approved site plan application. Chairman Oster asked if a public hearing was required for an amendment to a previously-approved site plan application. Attorney Langlois stated that he was not sure and would research that issue. Chairman Oster asked if the Burger King would stay open during construction if the project were approved. Mr. Tripp stated that he believed the restaurant would stay open during construction, but would confirm that. Mr. Bonesteel asked if the entire parking lot area would be re-paved. Mr. Tripp stated some, but not all, of the parking lot area would be re-paved. This matter was placed on the May 21, 2026 agenda for further deliberation.

Attorney Langlois then asked to return to the first item of business on the agenda, the minor subdivision application submitted by Rebecca Fischer for property located at 842 Tamarac Road. Attorney Langlois stated that based on when the public hearing on the application was closed, the deadline for the Planning Board to act was May 17, which would be before the next Planning Board meeting. Attorney Langlois stated that he had discussed this issue with Paul Engster, Esq., attorney for the applicant, and that Mr. Engster had consented to extending the date by which the Planning Board must act on the application to June 18, 2026.

There were no items of old business to discuss.

The index for the May 7, 2026 regular meeting is as follows:

1. Fischer – minor subdivision (May 21, 2026).
2. Mavis Tire – site plan (May 21, 2026).
3. Brunswick Acres – major subdivision approval extension (withdrawn).
4. Hoag – waiver of subdivision (May 21, 2026).
5. Burger King – site plan amendment (May 21, 2026).

The proposed agenda for the May 21, 2026 regular meeting is currently as follows:

1. Fischer – minor subdivision.
2. Mavis Tire – site plan.
3. Hoag – waiver of subdivision.
4. Burger King – site plan amendment.