

Planning Board

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

MINUTES OF THE PLANNING BOARD MEETING HELD FEBRUARY 5, 2026

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

ABSENT was DONALD HENDERSON.

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.

Chairman Oster noted that the fifth item of business on the agenda, applications for site plan and a special use permit submitted by National Grid for property located at 1278 Spring Avenue, had been tabled prior to the meeting at the request of the applicant and was adjourned without date.

The first item of business on the agenda was a public hearing concerning the application for major subdivision 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 read the procedure for a public hearing held by the Planning Board. Chairman Oster noted that written letters had already been received concerning the application, including some immediately before the current meeting,

which had been given to the applicant and were entered into the record. 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. Mr. Bond reviewed the application, stating that the project was an 18-lot subdivision on an approximately 32-acre parcel, with 17 lots on the west side of Creek Road and the final lot on the east side of Creek Road. Mr. Bond stated that a new roadway would be constructed through the site, which meets all requirements under the Town Zoning Code and would be dedicated to the Town upon the completion of construction. Mr. Bond clarified that the new roadway would be used by the 17 lots on the west side of Creek Road, and that the one lot on the east side of Creek Road would have its own driveway. Mr. Bond stated that the subdivision would use public water, and that a water main extension was proposed to connect the subdivision to public water. Mr. Bond stated that each lot would have its own septic system. Mr. Bond stated that a stormwater plan had been submitted, which met all NYS Department of Environmental Conservation (DEC) requirements. Mr. Bond also noted that there were wetlands on the project site, pointing them out on the project map, but stated that the project was not proposing to impact those wetlands in any way. Chairman Oster then opened the public hearing on the application. Tim Gilchrist, of 186 Creek Road, stated that he had submitted multiple letters to the Town on this project, which were among those entered into the record by Chairman Oster. Mr. Gilchrist stated that the project was proposing to remove 400,000 cubic yards of material from the site, proposing to remove that material in 21,000 trips made by large dump trucks, and since each truck had to travel to and from the site, the project was proposing 42,000 total truck trips over the construction period. Mr. Gilchrist stated that while construction would be over a short-term period, it would

result in long-term impacts. Mr. Gilchrist stated that Creek Road has a 10-ton limit for trucks and the trucks going to and from the site to remove material would exceed that. Mr. Gilchrist stated that Creek Road had recently been repaved and would need to be repaved again after construction. Mr. Gilchrist stated that the project posed serious safety risks. Mr. Gilchrist asked when the houses on the site would be built. Mr. Gilchrist reiterated how much material was being removed from the site and concluded that this was ultimately a mining operation. Sara Neitzel, of 1423 Spring Avenue, stated that she was a lifelong resident of Brunswick and that she was strongly opposed to the project. Ms. Neitzel agreed that this project was really a mine, both under Town of Brunswick and NYS DEC regulations, and argued that the amount of material proposed to be removed from the site was not even necessary for the project. Ms. Neitzel also agreed that Creek Road would need to be repaired after construction, and that the taxpayers of Brunswick would need to pay for those repairs, since there had been no mention of the applicant setting up an escrow for those repairs. Ms. Neitzel noted that a SEQRA determination had already been made on the project, which ignored serious environmental impacts from the project, such as airborne risks. Ms. Neitzel asked if her and her neighbor's wells would be affected by the project. Ms. Neitzel stated that the project would permanently affect the low-density status of the area, that it did not live up to the Town's Comprehensive Plan, and that it set a precedent for too many lots in low-density areas. Ms. Neitzel also noted that the Town Comprehensive Plan did not properly define low, low-to-moderate, and moderate density. Mary Ellen Adams, of 18 Cooper Avenue, stated that the proposed truck traffic was excessive and stated that the Planning Board should require that an escrow be set up for post-construction repairs, and further stated that multiple rounds of repairs might be necessary. Ms. Adams also asked how the project did not qualify as a mining operation, and stated that there must be serious environmental impacts from removing that much material.

Jeremy Hurst, of 82 Creek Road, stated that he and his wife lived adjacent to the site that the wetlands on the project site extended onto his and his wife's property. Mr. Hurst stated that he had discussed with the property owner reserving some space that could provide an access off the new proposed roadway to his and his wife's property, but that that reserved space was not shown on the site map. Mr. Hurst asked that the Planning Board consider requiring Lots 4-7 be modified to include approximately one quarter of an acre of access for his and his wife's use. Sue Vitolins, of 10 Miller Road, stated that she lived around the corner from the project site and that she agreed with all previous speakers. Ms. Vitolins asked what recourse existed if the applicant decided not to build out the subdivision after completing excavation. Ruth Paige, of 47 Creek Road, stated that the well on her property was 60 feet deep and that it would likely be polluted as a result of the project. Mrs. Paige stated that the increased amount of stormwater runoff from the project would cause her lawn and house to flood regularly. Mrs. Paige stated that she and her husband were planning to start a family and were terrified of the effects to her and her neighbors' properties resulting from the project. Kate Muanz, of 35 Creek Road, stated that she lived across the street from the project site and also agreed with the comments of previous speakers. Ms. Maunz stated that she and her family lived on Creek Road due to it being a rural area, which would be irrevocably changed if the project were approved. Ms. Maunz stated that there would be increases in traffic along Creek Road and Spring Avenue due to the project, both during and after construction. Ms. Maunz stated that despite what was stated at a previous Planning Board meeting, the project site was used for agricultural purposes within the last three years, specifically for hay production. Ms. Maunz asked what the impacts to groundwater from the project would be. Ms. Maunz stated that the excessive truck traffic already discussed would occur for six days a week for two years, and that there was currently no confirmed destination for the material being removed from the site.

Ms. Maunz stated that the applicant was trying to avoid responsibility for public health. Ellen Montiel, of 520 McChesney Avenue Extension, stated that the Planning Board had brought up many important environmental concerns at previous meetings, and was shocked to see the Planning Board make a Negative Declaration under SEQRA for the project. Ms. Montiel cited specific parts of the project's Environmental Assessment Form (EAF), specifically the amount of material proposed to be removed from the site and the amount of noise and emission pollution, as reasons why a Negative Declaration was incorrect. Ms. Montiel also stated that the applicant should be required to return the site to its previous condition if the subdivision is ultimately not built out after the completion of excavation. Nora Vitolins, of 653 Church Street, stated that she was a lifelong resident of Brunswick, but that this was the first Planning Board meeting she had ever attended. Ms. Vitolins stated that the property where the Spring Landing subdivision on Spring Avenue currently exists had previously been a gravel mine when she was a child, and that the effects from that mine, such as clouds of dust and non-stop noise, resulted in a significant decline in the quality of life, which she believed would happen on this site as well. Ms. Vitolins agreed with previous comments about increases in traffic, stating that Spring Avenue is already an unsafe road, and that this project would only make it worse. Ms. Vitolins stated that the people living in the neighborhood would be subjected to excessive noise and dust nine hours a day six days a week during construction, making it unbearable to live there. Patricia Oleaga, of 16 Pleasantview Avenue, stated that she had serious concerns about the project, stating that the project had not been planned logically. Ms. Oleaga stated that if the subdivision had been proposed without the mining aspect, then there would not be such public outcry against it. Ms. Oleaga brought up the Spring Landing subdivision previously discussed and stated that neighbors of that subdivision have well issues due to that project. Ms. Oleaga noted that the applicant was proposing

a water line extension that would allow the 18 new lots to have public water, but none of the properties surrounding the project site have public water, but instead have wells, which could be affected by the project. Ms. Oleaga asked the Planning Board to seriously reconsider these development plans as the project was not what Brunswick was supposed to be. Jim Tkacik, of 387 Brunswick Road, asked if the applicant had offered to extend the water main further and offer public water to neighboring residences. Mr. Tkacik stated that the Sharpe Road subdivision had extended a water line to its project site, but had also not extended it for neighboring properties. Mr. Tkacik stated that lawncare and road salt chemicals from the project site could contaminate wells on neighboring properties. Mr. Tkacik asked what the truck route would be, and stated that there were already too many gravel trucks traveling in that area already. Kenneth Volland, of the Volland Organization, stated that he owned property adjacent to the project site. Mr. Volland showed the Planning Board a site map of his property showing that he was planning to build a road on his property, and that it would be mutually beneficial to both himself and the applicant to have the roads each are building to connect for emergency vehicle access. Chairman Oster acknowledged Mr. Volland's site map and directed him to work with the Building Department on this issue. Chairman Oster asked if there were any further public comments, specifically about any topics not yet discussed. There were no further public comments on the application. Chairman Oster made a motion to close the public hearing. Member Stancliffe stated that she would like to establish a written comment period for this application. Chairman Oster suggested that a seven day written comment period be established as a condition of closing the public hearing, which the other Planning Board members agreed with. Chairman Oster again made a motion to close the public hearing, and to establish a seven day written comment period, which was seconded by Member

Mainello. The motion was unanimously approved, the public hearing was closed, and a seven day written comment was established to run through February 12, 2026.

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 asked the representatives for the applicant if they would like to address some of the comments from the public hearing at the current meeting. Mr. Ruane stated that the applicant would respond to all comments in writing, but would address some comments at the current meeting. Mr. Ruane stated that a number of comments had been previously addressed at earlier Planning Board meetings. Mr. Ruane stated that the project did not meet the definition of a mine, noting that construction projects have certain exemptions, including this project, and that NYS DEC had previously determined that the removal of material for this project was classified as excavation, not mining. Mr. Ruane stated that a traffic study had been submitted with the application documents, which stated that the proposed truck traffic would not impact the level of service on Spring Avenue. Mr. Ruane stated that wells on neighboring properties would not be affected by the project, and that the project would not affect the ability of owners of those neighboring properties to request a hookup to public water in the future. Mr. Ruane also noted that pesticides and road salt would not cause effects to groundwater and neighboring properties. Chairman Oster noted that the submitted traffic study did not address additional traffic post-construction. Chairman Oster asked if a contractor for trucking had been selected. Mr. Bond stated that a contractor had not yet been hired, but that the process for selecting that trucking contractor was ongoing. Chairman Oster stated that trucks going to and from the site via Sharpe Road was not an option. Member Czornyj noted that it had been stated at the last Planning Board

meeting on January 15 that trucks would not travel to and from the site via Creek Road. Mr. Bond stated that trucks would likely travel to and from the site via Spring Avenue. Chairman Oster stated that the likely route for trucks would be exiting from the site onto Creek Road, then quickly turning onto Spring Avenue, and that he expected there would be discussions about bonding for potential damage to those two roads in the future. Chairman Oster asked if Spring Avenue was a Town road, and it was stated that both Spring Avenue and Creek Road were County roads. Member Czornyj asked if the application had been sent to Rensselaer County, and Mr. Bond confirmed that it had been, likely a year earlier. Mr. Bonesteel asked if the applicant had received a response and any comments on the application from Rensselaer County. Mr. Bond stated that no response had been received from Rensselaer County, and that he would follow up with the County, specifically with the Rensselaer County Highway Department concerning the proposed truck route. Mr. Bonesteel asked if there had been any changes to the application since the last Planning Board meeting on January 15, and Mr. Bond stated that there had not been. Member Mainello asked if the amount of material excavated for each house built on the site had been included in the calculations for the total amount of material proposed to be excavated, and Mr. Bond confirmed that it had been. Member Czornyj asked if the water line could be extended even further than proposed to provide public water to at least some of the neighboring properties closest to the project site. Mr. Bond reviewed the water line on the site map, reiterated that the project would not prohibit neighboring properties from connecting to public water in the future, and stated that neighboring properties requesting to be added to the water district was a separate process that was unconnected to this project. Kevin Mainello stated that a comment had been received from the Brunswick Fire Department requesting that a Storz connection be added to the fire hydrants proposed for the site, and provided a copy of the response letter from the Fire Department to Mr. Bond. Member

Stancliffe stated the two adjacent property owners had spoken during the public hearing about access to their parcels from the project site, and asked if the applicant had discussed those issues with those adjacent property owners. Mr. Bond stated that it had not yet been discussed, but that the applicant was willing to discuss access issues with those two adjacent property owners. Chairman Oster asked if the applicant would be willing to extend the water line to the edge of the property through wetlands on the site, as it would make it easier for more neighboring properties to connect to that water line. Mr. Bond stated that he would discuss that with the applicant. Chairman Oster asked if there would be any changes to the wetlands on the site if the applicant removed the hill on the site as was proposed. Mr. Bond stated that there would be no changes to wetlands due to removing that hill, that the applicant was not proposing any changes to the wetlands, and that there was a 100-foot buffer between the farthest point of disturbance on the site and those wetlands. Member Mainello asked if there was any analysis of the material being removed from the site. Mr. Bond stated that the material had been analyzed through deep hole testing and listed the soils that were to be removed from the site. Member Mainello asked if any shale or other material that would require heavy equipment to remove was expected to be among the material removed. Mr. Bond stated that no material requiring heavy machinery to remove was anticipated. This matter was tentatively placed on the February 19, 2026 agenda for further deliberation.

The second item of business on the agenda 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. Mr. Keasbey stated that zoning information had been added to the site map as requested by Mr. Bonesteel at the last Planning Board meeting on January 15. Mr.

Keasbey also stated that lampposts had been added to the site map to provide additional lighting for the parking area and to help keep the character of the neighborhood. Mr. Gilchrist stated that written responses to comments made at the public hearing on the application held at the January 15 meeting had been submitted, and he reviewed those responses. Mr. Gilchrist stated that all comments made concerning traffic and parking had been addressed, and that he believed a traffic study of the site was not necessary. Mr. Gilchrist stated that a new porch was to be built at the front entrance to the house on the site, and that site renovation was anticipated to take 6-9 months, which would result in small temporary impacts to the site. Mr. Gilchrist stated that the walkway from the entrance of the house to the sidewalk along Hoosick Road that the Rensselaer County Bureau of Economic Development asked the applicant to consider would not be built, primarily due to site constraints, including the location of a septic system. Mr. Gilchrist also stated that the wall-mounted lighting on the outside of the house to light to parking lot was still proposed in addition to the newly proposed lampposts. Chairman Oster asked if landscaping was proposed for the front of the site, specifically for screening. Mr. Gilchrist and Mr. Keasbey confirmed that vegetative screening was proposed for the front of the site. Chairman Oster asked what the distance was from the edge of the parking lot to the property line. Mr. Keasbey stated that there was 3 feet between the parking lot and property line. Mr. Gilchrist stated that since the last meeting on January 15, he had spoken to the realtor on the adjacent property about the project, and that he was willing to work with her on any issues she may have. Chairman Oster asked Mr. Bonesteel if all of his comments had been addressed. Mr. Bonesteel confirmed that all of his comments had been addressed. Member Czornyj reiterated what he had said at the last meeting, that the excessive parking in front of the site along Hoosick Road and along Wyman Lane was due to garage sales held by the previous owner, that those garage sales would not be happening in the future, and that

the proposed bookstore was the best possible use for the site. Kevin Mainello stated that a comment had been received from the Brunswick Fire Department requesting that a Knox Box be installed, and gave a copy of that comment letter to Mr. Gilchrist. Member Czornyj made a motion to adopt a negative declaration on the project under SEQRA, which was seconded by Member Tarbox. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Member Czornyj asked if anything needed to be done about there being less than seven feet between the edge of the parking lot and the property line. Attorney Langlois stated that nothing needed to be done, as the Planning Board had already acknowledged that fact and that the Planning Board was exercising its discretion to allow only three feet between the edge of the parking lot and property line. Member Czornyj made a motion to approve the site plan application, subject to the condition that a Knox Box be installed, which was seconded by Member Tarbox. The Planning Board voted unanimously to approve the site plan application subject to the stated condition. Member Tarbox made a motion to approve the special use permit. Chairman Oster asked if there should be any conditions on the special use permit. Member Stancliffe asked if hours of operation should be a condition. Mr. Gilchrist stated that the current plan was for the bookstore to be open Tuesday through Saturday from 10:00 AM to 4:00 PM, with the exception of being open until 7:00 PM on Fridays, likely being closed Sundays and Mondays. Member Stancliffe suggested operating hours of 10:00 AM to 4:00 PM Monday through Saturday, with the exception of being open until 7:00 PM on Fridays, as a condition. Attorney Langlois noted that the Planning Board had the discretion to require periodic renewals of a special use permit, such as every three or five years, or the approval could be evergreen. Member Stancliffe stated that a special use permit was being requested due to the square footage of the house on the site, and that she felt that a periodic renewal of the special use permit was unnecessary. Member Tarbox again made a motion to approve the

special use permit, subject to the stated condition, which was seconded by Member Czornyj. The Planning Board voted unanimously to approve the special use permit subject to the stated condition.

Chairman Oster noted that the Planning Board had not yet reviewed the minutes of the last meeting. The draft minutes of the January 15, 2026 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Czornyj, the draft minutes of the January 15, 2026 regular meeting were unanimously approved without amendment.

The third item of business on the agenda was a waiver of subdivision application submitted by Robert Monticup for property located at 19 Miller Lane. Robert Monticup and Herman Pulcher, of Cornerstone Surveying and Mapping, were present to review the application. Mr. Pulcher reviewed the application, stating that it was a simple subdivision. Chairman Oster noted that several things needed to be added to the site map when the project was presented at the last meeting. Mr. Bonesteel stated that the site map now had everything that was required. Member Czornyj made a motion to adopt a negative declaration on the project under SEQRA, which was seconded by Member Mainello. The Planning Board voted unanimously to declare a negative declaration on the project under SEQRA. Chairman Oster asked if there should be any conditions on the waiver, and the Planning Board determined that there should not be. Member Czornyj made a motion to approve the waiver of subdivision, which was seconded by Member Tarbox. The Planning Board voted unanimously to approve the waiver of subdivision.

The fourth 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 and Mark Danskin were present to review the application. Chairman Oster stated that he had discussed the application with Mr. Bonesteel shortly before the current meeting, and that Mr. Bonesteel had a

number of items that needed to be added to the application documents. Mr. Bonesteel stated that on Item 13 of Part 2 of the EAF, “yes” should be checked instead of “no” as there were wetlands on the site, but noted that those wetlands would not be directly affected. Mr. Bonesteel also listed a number of items that he wanted to be added to the site plan: a small-scale location map; contours; information on where power would come from; information on traffic circulation (ingress and egress arrows); information on curb cuts; the total size of the parcel; a table of area and bulk requirements; and an elevation view. Mr. Bonesteel stated that like Tranquility Bookshop, there was less than seven feet between the edge of the parking area and the property line. Mr. Bonesteel asked about lighting on the site. Mr. Smith stated that wallpacks would be installed on the building for lighting. Mr. Bonesteel asked to see a rendering of the proposed building. Mr. Smith stated that he had submitted a rendering of the building to the Zoning Board of Appeals, and that he could submit that rendering to the Planning Board as well. Mr. Smith also clarified that the proposed building would be one-story, not two-story as was stated on the agenda and previous meeting minutes. Kevin Mainello stated that Bill Bradley, from the Brunswick Water Department, had comments on the application. Mr. Smith stated that he had spoken to Mr. Bradley and representatives from NYS DEC concerning the wetlands on the project site. Member Tarbox asked if anything was proposed to be stored in the yard on the site, and Mr. Smith stated that there was not. Mr. Bonesteel asked if any paving was proposed, and Mr. Smith stated that there was not. Member Tarbox asked if the application needed to be sent to Rensselaer County. Kevin Mainello stated that the application would be sent to Rensselaer County when it was deemed complete. Kevin Mainello stated that a comment had been received from the Brunswick Fire Department requesting that a Knox Box be installed, and gave a copy of that comment letter to Mr. Smith. This matter was placed on the March 5, 2026 agenda for further deliberation.

The fifth item of business on the agenda was applications for site plan and a special use permit submitted by National Grid for property located at 1278 Spring Avenue. Chairman Oster reiterated that this matter had been tabled prior to the meeting at the request of the applicant and was adjourned without date.

The sixth item of business on the agenda was a minor subdivision application submitted by Rebecca Fischer for property located at 842 Tamarac Road. Mark Danskin was present to review the application. Chairman Oster stated that a private road maintenance agreement for the three proposed lots on the site had been drafted and submitted, and that Attorney Langlois had reviewed and approved it. Mr. Danskin stated that a note had been added to the site map concerning that private road maintenance agreement. Mr. Bonesteel stated that erosion and sediment control information needed to be added to the project's stormwater pollution prevention plan (SWPPP). Member Stancliffe asked about site distances from the project site to Tamarac Road. Mr. Danskin and the Planning Board discussed site distances for the site and the speed limit on Tamarac Road. Chairman Oster asked Mr. Bonesteel if he would like to see the additional requested information before scheduling a public hearing on the application, and Mr. Bonesteel stated that he would. This matter was placed on the February 19, 2026 agenda for further deliberation.

There was no new business to discuss.

The Planning Board discussed two items of old business.

The first item of old business was the applications for waiver of subdivision, site plan, and a special use permit submitted by CVE North America, Inc. for property located at 511 McChesney Avenue Extension. Chairman Oster stated that the project remained active, even though there had not been any new submissions from the applicant for some time. Chairman Oster stated that the Building Department had recently heard from the applicant, and that the applicant was currently

reviewing the project's plans. Kevin Mainello confirmed that the Building Department had not received anything in writing from the applicant stating that the project was no longer being pursued.

The second item of old business was a previously-approved site plan submitted by Zafer Ak for property located at 585 Hoosick Road. Kevin Mainello stated that the applicant would be at the next Zoning Board of Appeals meeting on February 9 to discuss the outdoor patio on the site, which had been built the wrong size, and asked if the applicant should come before the Planning Board as well. Attorney Langlois stated that since the larger patio was a modification of the approved site plan, the applicant should also come before the Planning Board. Chairman Oster asked if a second public hearing would be required, or if that would be at the discretion of the Planning Board, if the applicant came back before the Planning Board. Attorney Langlois stated that he would research that issue after reviewing the application to modify the site plan. Kevin Mainello also stated that the overhang over the outdoor patio was encroaching a few inches into Oneida Avenue, which was a Town right-of-way.

The index for the February 5, 2026 regular meeting is as follows:

1. Paramount Building Group – major subdivision (February 19, 2026).
2. Tranquility Bookshop – site plan and special use permit (approved with conditions).
3. Monticup – waiver of subdivision (approved).
4. K. Smith – site plan and special use permit (March 5, 2026).
5. Fischer – minor subdivision (February 19, 2026).

The proposed agenda for the February 19, 2026 regular meeting is as follows:

1. Paramount Building Group – major subdivision (tentative).
2. Fischer – minor subdivision.
3. AT&T – amendments to site plans and special use permits.

The proposed agenda for the March 5, 2026 regular meeting is as follows:

1. K. Smith – site plan and special use permit.