

# **Planning Board**

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

## **MINUTES OF THE PLANNING BOARD MEETING HELD JANUARY 4, 2024**

PRESENT were RUSSELL OSTER, CHAIRMAN, DONALD HENDERSON, J. EMIL KREIGER, LINDA STANCLIFFE, DAVID TARBOX, and KEVIN MAINELLO.

ABSENT was ANDREW PETERSEN.

ALSO PRESENT were MICHAEL McDONALD, Brunswick Building Department, 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 December 21, 2023 regular meeting were reviewed. Upon motion of Chairman Oster, seconded by Member Henderson, the draft minutes of the December 21, 2023 regular meeting were approved 5-0 without amendment, with Member Stancliffe abstaining.

The first item of business on the agenda was a site plan application submitted by Maries Muse, LLC for property located at 727-737 Hoosick Road and 4 Mohawk Avenue. No one was present for the applicant. Chairman Oster stated that the Planning Board may need to recirculate the SEQRA lead agency coordination notice for the application. Mr. Bonesteel stated that New York State Department of Transportation (DOT) comments had included the possible need to add a turn lane onto McChesney Avenue and that since McChesney Avenue is a County road, the Rensselaer County Highway Department, which had previously been listed as an interested agency, should be listed as an involved agency. Chairman Oster asked if any of the information

requested by the Planning Board at the last meeting had been submitted. Mr. Bonesteel stated that new no information had been submitted and that he had had no correspondence with the traffic consultant for the project since the last meeting. Chairman Oster asked what the next step for the Planning Board was procedurally. Attorney Gilchrist explained the process for recirculating the SEQRA lead agency coordination notice. Chairman Oster asked if the NYS DOT comments on possibly requiring a turn lane on McChesney Avenue gave the Planning Board the opportunity to improve the turning radius from Hoosick Road onto McChesney Avenue during project review. Mr. Bonesteel confirmed that improving the turn radius from Hoosick Road onto McChesney Avenue should be part of the project review. Chairman Oster made a motion to recirculate the SEQRA lead agency notice, with the Planning Board still seeking to serve as lead agency, which was seconded by Member Tarbox. The Planning Board voted unanimously to recirculate the SEQRA lead agency notice. Chairman Oster asked if there were any more agencies that needed to be included. Attorney Gilchrist stated that all involved agencies had been identified during the drafting of the first SEQRA lead agency notice, and this would reclassify the Rensselaer County Highway Department from an interested agency to an involved agency. This matter is tentatively placed on the January 18, 2024 agenda for further deliberation.

The second item of business on the agenda was a waiver of subdivision application submitted by Henry Reiser for property located at 10 Plante Lane. Henry Reiser was present to review the application. Chairman Oster stated that at the last Planning Board meeting, the Planning Board had requested to see the original Grey Ledge subdivision plat so it could be compared to the map that had been submitted with the application. Mr. Reiser confirmed that he had submitted the original map for the Grey Ledge subdivision, then he reviewed that plat and the map for the current subdivision for the Planning Board. Chairman Oster asked about the lot line changes

proposed by the applicant and the total number of tax parcels on the map. Mr. Reiser stated that he had filed an additional deed concerning parcels on the land and had provided the building department with a receipt. Mr. Reiser reviewed the plans, stating that there were three parcels on the Grey Ledge plat – Lot 12, the remaining lands of Mr. Reiser, and one additional parcel that was owned by Mr. Reiser’s ex-wife – and that there would be three parcels after the proposed action – a revised Lot 12, merging the remaining land and the parcel owned by Mr. Reiser’s ex-wife, and a new Lot 13. The Planning Board discussed the “remaining lands” shown on the original Grey Ledge plat. Mr. Reiser stated that the “remaining lands” shown on the original Grey Ledge plat actually had four unmarked lots within it, one owned by Mr. Reiser and three owned by his ex-wife, and that all four unmarked lots would be merged if the current application was approved. Chairman Oster stated that the approval of the Grey Ledge subdivision in 2016 may not have been done correctly if there unmarked lots within the “remaining lands” on the plat. Attorney Gilchrist asked if the application should be treated as a waiver of subdivision or a minor subdivision, pointing out that the action appeared to be adding a new building lot based on the old plat and current site map. Member Tarbox stated that if the new lot being created was not a part of the Grey Ledge subdivision, then it should not be called Lot 13. The Planning Board agreed that the naming of the new lot was causing confusion. Chairman Oster stated that if there would only be lot line adjustments to Lot 12 and the remaining lands, and not include a new building lot, then the application could be treated as a waiver of subdivision and not a minor subdivision application. Attorney Gilchrist stated that the application could be considered a re-subdivision of Lot 12 of the Grey Ledge subdivision and the remaining lands shown on the Grey Ledge plat, but that if a new building lot was being created, then the proposal could be considered a minor subdivision. Chairman Oster asked about the status of the previous waiver of subdivision application approved

by the Planning Board last April. Attorney Gilchrist stated that the April approval was never filed by the applicant, so that approval has expired. Mr. Reiser stated that he would remove the additional building lot (Lot 13) and re-submit the application seeking only a lot line adjustment for Lot 12 and the “remaining lands” on the site map. This matter is placed on the January 18, 2024 agenda for further deliberation.

The Planning Board discussed one item of new business.

The one item of new business was a presentation concerning property at 740 Hoosick Road. Paul Engster, the property owner, was present. Mr. Engster stated that he was present to report on a new business coming to the Walmart Plaza at 740 Hoosick Road, and was before the Planning Board to discuss the proposed tenant under the Planning Board’s continuing authority to review tenants at this location. Mr. Engster stated that Wingstop, a fast-food restaurant that primarily sells chicken wings, was proposed to go into the 1,200 square foot space recently vacated by the Fantastic Sam’s hair salon. Mr. Engster stated that the applicant would apply for a building permit unless the Planning Board had any issues with the potential tenant. Mr. Engster stated that the applicant had proposed a grease trap being built inside the space, but that Mr. Engster had stated that an indoor grease trap would not be approved, so the applicant will be proposing to build an outdoor grease trap behind the Walmart Plaza. Chairman Oster noted that the original Planned Development District (PDD) approval for the Walmart Plaza included Planning Board review of all new tenants in the Plaza to ensure there would be no adverse impacts. Chairman Oster stated that he had no issue with the Wingstop restaurant as there was already a restaurant in the Plaza that was causing no problems. Member Stancliffe noted that the Wingstop would be take-out only with no indoor seating, meaning that there would be no significant traffic issues. Mr. Engster confirmed that there would be no public area except the pick-up area, meaning that there would be indoor

seating or restrooms, and that the restaurant would not have any designated parking spots. Member Henderson asked if there was a picture of what the Wingstop would look like. Mr. Engster stated that he did not currently have one, but that he would ask the applicant to include a picture of the proposed space when the building permit application was filed. The Planning Board members stated that they had no issue with the potential tenant. Member Tarbox made a motion stating that the Planning Board had no objection to the potential tenant, which was seconded by Member Henderson. The Planning Board voted unanimously to state that the Planning Board had no objection to the potential tenant.

Chairman Oster stated that he would like to formally designate an alternate Planning Board chair in the event he is absent, as opposed to naming an alternate chair at the meeting itself. Chairman Oster stated that Member Stancliffe would be best as the alternate Chair as she had served in that role previously. The Planning Board members agreed. Chairman Oster made a motion to designate Member Stancliffe as the alternate Planning Board Chair, which was seconded by member Henderson. The Planning Board voted unanimously to designate Member Stancliffe as the alternate Planning Board Chair.

The index for the January 4, 2024 regular meeting is as follows:

1. Maries Muse, LLC – site plan (January 18, 2024).
2. Reiser – waiver of subdivision (January 18, 2024).
3. Engster – tenant review.

The proposed agenda for the January 18, 2024 regular meeting is as follows:

1. Cillis – subdivision.
2. Maries Muse, LLC – site plan (tentative).
3. Reiser – waiver of subdivision.
4. Haas – site plan.