

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
June 8, 2022

Attendance: Richard French (Chairman), Leanne Hanlon (Secretary), Michael Miner (Building Department), Tony Crucetti, Louise Germinerio, Michael Masone, Greg DeJulio, Al Kolakowski (Legal Counsel).

Chairman French opened the meeting with the Pledge of Allegiance and roll call. Chairman French also explained the area variance rules and what this board does.

Public Hearings:

Application 22-12, for the area variance request of Joshua Shepard, 15 Van Woert Court, Wynantskill, NY 12198, for relief from setback requirements of 20 ft. from property lines, for the purpose of placing an inground swimming pool 14 ft. from the side property lines, at the property located at 15 Van Woert Court, Wynantskill, NY 12198, in an R1 district, having parcel ID#:124.5-1-3.

Mr. Shepard spoke about his application. Left side of yard he has an easement with neighbor so there is no room. The only flat part is on the right side. There is a slope there so he has to shift it over a couple feet. He said it may not be 14 feet it could be further away but he wanted to make sure he was asking for enough. Chairman French asked where the runoff is going? He said he has a drainage system that goes out the back from the addition so he will tie it into that and there are no homes there just woods.

Per Mr. Miner, the county stated local consideration shall prevail.

Public Hearing opened:

No one wishing to speak.

Motion made to close public hearing by Mr. DeJulio and seconded by Mr. Germinerio. No written comments.

Undesirable change: No

Benefits sought by applicant: No.

Substantial: No

Adverse affect: No

Self created: Yes, but does not preclude

Type II SEQRA Action.

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Conditions: runoff/flush needs to tie into his drainage system in the back
Motion made to approve with above condition by Mr. Masone and seconded by Mr. Crucetti.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

Application 22-13, for the area variance request of Vern Van DeWal, 6 Paul Art Lane, Troy, NY 12180, for relief from setback requirements of 20 ft. from property lines, for the purpose of placing an inground swimming pool 6 ft. from the back and property line, at the property located at 6 Paul Art Lane, Troy, NY 12180, in an R1 district, having parcel ID#: 123.17-4-16.

Mr. Van DeWal spoke about the application and presented the board with photos. He explained from the photo where he would like to put the pool. It will be a radiant pool which is partially in ground and partially above ground. He also explained where the septic is and the leach field. There is also an old in ground pool that collapsed before he purchased the house and is filled with concrete. He also could not go into the direction of the telephone pole because there is a rule about that. He also showed where the neighbors have no issue with this.

Mr. DeJulio asked where the runoff is going. Mr. Van DeWal showed where the runoff will go but is still on his property toward the old pool into the field.

County per Mr. Miner: local consideration shall prevail.

Public Hearing opened:

No one wishing to speak. One written comment was received from Andrew Mair and read into the record.

Motion made to close public hearing by Mr. Crucetti and seconded by Mr. DeJulio. All in favor.

Undesirable change: No

Benefits sought by applicant: No. Not with leach field and previously demolished pool

Substantial: No-it is within 6 feet of the property line but given topography and septic there is no where else to put the pool.

Adverse affect: No

Self created: Yes but does not preclude

Type II SEQRA Action.

Conditions: flush water to open area of back yard to the right.

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Undesirable change: No
Benefits sought by applicant: No.
Substantial: No
Adverse affect: No
Self created: Yes, but does not preclude

Type II SEQRA Action.

Motion made to approve by Mr. Masone and seconded by Mr. DeJulio.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

Application 22-14, for the area variance request of William Stewart, 1302 Brianna Blvd., Troy, NY 12180, for relief from rear setback requirements of 20 ft., for the purpose of allowing a deck 10 ft. from the rear property line, at the property located at 1302 Brianna Blvd., Troy, NY 12180, in an PDD district, having parcel ID#: 123.13-8-30.

Mrs. Stewart spoke about the application. Hey would like to put a deck in. The property line goes back 20 feet and dips down to a retaining pond then a creek. There are no building lots behind them that would be effected.

Chairman French stated we ask for some kind of privacy screening. She stated on the one side there is a privacy wall. The other side they are about 10 feet down a small slope from them so they should not be affected. She said HOA owns the property behind her.

HOA approval: She said they are working on it but what they are putting in are all the same materials and the same deck that others have in the development.

County per Mr. Miner: local consideration shall prevail.

Public Hearing Opened:
No one wishing to speak. No
Undesirable change: No
Benefits sought by applicant: No.
Substantial: No
Adverse affect: No
Self created: Yes, but does not preclude

Type II SEQRA Action.

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Motion to approve with above condition by Mr. DeJulio and seconded by Mr. Masone.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

Application 22-15, for the area variance request of Rich Spoon, 23 Highland Acres, Troy, NY 12180, for relief from the maximum allowable footprint of 1200 sf., for the purpose of constructing a 1500 sf. garage, at the property located at 23 Highland Acres, Troy, NY 12180, in an R1 district, having parcel ID#: 123.13-6-13.11.

Mr. and Mrs. Spoon spoke about their application. They just moved in and have a boat 2 motorcycles and a snowmobile and have no where to put them. Their yard is surrounded by trees. He spoke with the neighbor and they have no issues with the garage. Mr. Miner stated the property really cannot be seen and the property is 3.19 acres. Mr. Spoon said it will be a 12 foot ceiling and no living space. The 12 feet is needed to get the boat into it. The board explained concerns about turning it into an apartment in the future and they do not plan to do that.

County per Mr. Miner: local consideration shall prevail.

Public Hearing Opened:

No one wishing to speak. No written comments received.

Motion made to close public hearing by Mr. DeJulio and seconded by Mr. Masone.

Public Hearing Opened:

No one wishing to speak

Undesirable change: No

Benefits sought by applicant: No.

Substantial: No

Adverse affect: No

Self created: Yes, but does not preclude

Chairman asked what they would be siding it with and they stated they will match existing.
Mr. Spoon stated you cannot see the home from the road.

Motion made to approve with condition of no septic or sewer by Mr. DeJulio and seconded by Mr. Crucetti.

Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

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Application 22-16, for the area variance request of Form & Forge Corp., 143 Remsen Street, Cohoes, NY 12047, for relief from maximum number signs and maximum allowable square footage for signage for the purpose of allowing additional signage to assist the traffic flow into the parking area, at the property located at 115 Main Avenue, Wynantskill, NY 12198 in a Hamlet (H) district, having parcel ID#: 124.5-3-20.

Mr. Dingley spoke about the application. They would like a sign in the entrance and the exit. There has been some confusion on traffic flow so the signage would help. The board reviewed the drawing.

These signs will be smaller than the existing signs on the property. The new signs will have Ace Hardware on them. Chairman French stated they do need additional directional signage but this is also advertising because the name will be on them. Mr. Masone asked if he could change the ratio of Ace Hardware and exit/entrance. Can you make Ace smaller. Mr. Miner suggested keeping the sign on Main Avenue large and clear and the one on Atlantic can be smaller because they already know it is Ace Hardware. Mr. Dingley feels Ace will not have an issue with this.

Mr. Miner is suggesting it state exit only but Mr. Dingley said the sign will need to be longer to do that. They can do 10 square feet. No larger than 5x5 (2.5 foot ace-2.5 foot exit) per Chairman French.

Public Hearing opened:

Mr. Wayne Stritsman said they have done a fantastic job with this building. He also feels additional signage is needed. He said he would also reverse and have exit only on top and Ace Hardware on the bottom. No written comments.

Mr. Dingley suggested putting a directional arrow on their existing sign on Main Avenue. That is a good idea per the board. That would eliminate one of the requested signs. That would not require approval by this board if it does not include Ace on it like the separate ones they want. Atlantic sign logo no bigger than one sq foot then an arrow. Exit only on top of other sign.

Mr. Miner stated it is not a square footage issue it is the number of signs.

Motion made to close public hearing by Mr. Masone and seconded by Mr. DeJulio.

County per Mr. Miner: Nothing was received.

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Undesirable change: No
Benefits sought by applicant: No.
Substantial: No
Adverse affect: No
Self created: No

SEQRA questions were asked and answered by board members.
Motion made for a neg dec by Mr. DeJulio and seconded by Mr. Crucetti.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

Conditions: entrance on Atlantic 1 sq foot logo with entrance sign, exit sign 10 sq feet with Exit on top and Ace on the bottom.

Motion made to approve with above conditions by Mr. DeJulio and seconded by Mr. Masone.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

Motion made to approve May ZB Minutes by Mr. Masone and seconded by Mr. DeJulio. Mr. Crucetti abstained.

Motion made to adjourn at 7:38pm by Mr. Crucetti and seconded by Ms. Germinerio.

All written public comments (mail, e-mail, faxes or hand delivered) are due to the Building Department by 4:00 pm on the business day preceding the meeting. If you need additional information or have questions about the process, please contact us at: 518-283-2714 or building@townofng.com . **Please see the Zoning Board page on the Town's website to view applications.**