

**Town of North Greenbush Planning Board**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Meeting Minutes**  
**April 22, 2024 - 6:30 pm**

Attendance: Mary Jude Foley, Mark Lacivita (Chairman), David Wilson, Leanne Hanlon (Secretary), Mark Ahern, Greg DeJulio, Eric Westfall (Town Engineer), Phil Danaher (counsel).

**Public Hearing(s):**

- **Application 24-03, for the site plan application of Ariel Saati, 28 Buckbee Road, Troy, NY 12180, for the purpose of converting a medical office to a full-service restaurant located at 27 West Sand Lake Road, Wynantskill, NY 12198, in a H district, having parcel ID#: 124.10-20-1.**

Mr. Saati spoke about the application for the Public. They are in the process of purchasing the building. They would like to open a full service restaurant (7am-8pm daily). 65 seats and 42 parking spaces. They will need to bring in all kitchen equipment and exhaust equipment. Dining room is mostly cosmetic work. The grease disposal will go in the basement and the dumpster will be enclosed and no location as yet. Chairman Lacivita spoke about the time the dumpster would be emptied and not too early. Mr. DeJulio asked about parking lot lighting. Mr. Saati stated the architect will provide that and Chairman stated will we need a stamped drawing from the architect. Mr. Saati stated the restaurant will not be open too late so lighting will be limited.

Ms. Foley asked about water and sewer. Mr. Saati stated they have sewer but it is on well water. He wants to connect to the public water though. 8-10 employees. She also stated they are very close to the property line. Mr. Cioffi did not find anything regarding variances in the past.

He is required to have 46 parking spots so he'll need a variance because he has 42 now and will lose 2 for a dumpster.

Chairman stated that for a public hearing we would need a detailed architect drawing. Mr. Saati was not aware.

Chairman asked counsel how we deal with that no variance issue. It was referred to zoning in 2001 for a variance for the doctor office. Mr. Danaher stated we may need to do a (De-novo) referral.

Chairman Lacivita stated we may need to table the public hearing.

Public Hearing opened:

**Planning Board  
Meeting Minutes  
April 22, 2024  
Page 2**

Mrs. Barbara McCarthy: is directly behind the building and there is on 5 feet from her property to the building. The doctor is only there 3 days a week so traffic is minimal. Opening an entrance or exit to Sharpe Avenue would cause unnecessary traffic. She showed photos. Her entire yard would be along that building. Resale on her house, noise, septic, privacy. She sent her letter via email. She is not trying to stop this; she just wants some issues mitigated.

Chairman Lacivita stated the applicant has to respond to all public comments at the next meeting.

Chief Keevern commented in writing on traffic from PD.

Chairman has a list of items that have to be mitigated that will be provided to the applicant..

Ms. Sherry Decker spoke. She lives on Sharpe Avenue. She said Edilyn's is vacant can he look at that. Chairman stated she cannot direct the applicant to look at other potential properties. She stated when it was a doctor office it was harmless. A restaurant will bring a lot of problems according to her. She said it is not a town it is a city now. Chairman stated that is a ZB and town board issue. She said the doctor office was a great neighbor. Ms. Foley asked if she went to any public hearing when the doctor office was built. She did not. It encroaches into the set back.

Theresa Weber, 13 Cook Street: She lives across the street. She would like to see this project go through so Dr. March can sell the building. She works for him now. She suggested diagonal parking spaces to make them work. She doesn't feel there would be any more traffic with the restaurant than a sunny day at the car wash. She said don't have right on red from 150 going onto west sand lake road. Also widening the driveway entrance if possible.

Bill Staysek, 20 Phesant Court: Signage Limitations, Landscaping, storm water runoff, local employment, liquor license.

Chairman Lacivita stated a lot of this will be addressed.

Theresa March, Schenectady, Dr. March's spouse: When the building was first built Mrs. Sherry Decker was contacted and she verbally approved that building where it was.

Chairman stated this has to go to ZBA for parking variances.

**Planning Board  
Meeting Minutes  
April 22, 2024  
Page 3**

Brian McCrae, NG Fire District: Fire Safety was covered. He read his comments. He would like to see a final drawing once the parking layout is complete. He suggested a fence in the back of the building because of rear access for firefighters.

Chairman Lacivita told the applicant we need a detailed drawing for the next public hearing. As well as the town clerk.

Counsel stated this board could refer the issue for the (de-novo) setback now. Chairman will email the ZB Chairman with that information.

Motion made to Adjourn public hearing to May 20 by Mr. DeJulio and seconded by Mr. Wilson. All in favor.

- **Application 22-19, for the application for a major subdivision of Cape Enterprises HV, LLC, 89 Macha Lane, Wynantskill, NY 12198, for the purpose of approving a 50-lot twin home subdivision, located on an 18.05-acre parcel on Williams Road, in a R3 district, having parcel ID#: 123.-3-8.1.**

Steve Hartt, Hartt Engineering representing Cape Enterprises. Mr. Hartt reviewed the project for the public. There is an existing water line to connect to. He had a drawing for the public to review. They are proposing a lot line adjustment and giving that land to the baseball field little league because it is slightly on the property.

There was a traffic study a few years ago and updated in 2024. He read some of that report. Caracon did soil samples a few years ago and now some ground soil monitoring.

They followed up with the school district (Little Red).

Mr. DeJulio asked about the cliff on the easterly side. That was considered when laying out these homes per Mr. Hartt and they will look into it again.

Ms. Foley asked about the SWPP ponds and asked how close they are to the little league and play area. What will you do to block those off to keep children out? Mr. Hartt has plans to install fencing. Mr. Hartt showed the board where that will happen.

Per Chairman Lacivita this is in a water and sewer district. Mr. Hartt is not sure if the new road will be a town home or run by HOA.

Fencing and screening will be completed as well as emergency egress. Mr. Hartt showed that on the drawing and it will have a gate.

Mr. Hartt has not heard back from the Manor. Chairman asked that he reach out to them again and copy the PB. They will also need to contact County Health per Chairman.

**Planning Board**  
**Meeting Minutes**  
**April 22, 2024**  
**Page 4**

Chairman noted two written comments were received. Chief Keevern has no major issues. He would like to be updated if there are any changes.

Increased traffic on Williams road-3.5 second delay per Mr. Hartt. He did speak with Sally Shields from Little Red.  
\$350,000-\$400,000 price range.

**Public Hearing Opened:**

Mr. ? –Meadow Drive: He said the traffic is already crazy in that area and there is traffic congestion. It is already hard to pull out of Meadow Drive.

Sue Ellen Linsky Wagner, Pastures and is representing her parents on 2 Orchard Lane. Traffic has changed especially when Hudson Valley gets out. She asked that was the traffic study done in January was HVCC considered as well as LaSalle and Twin Town when there are ball games? She said it would be horrible if the entrance to this is across from Orchard. Because it is already difficult to pull out of Orchard. She also stated speed is an issue and maybe lower 30 MPH. She feels there will be a lot more accidents. She said no one on Orchard has sewers. Can they hook up to the proposed sewer that is planned for this development?

Bob Muller: Pastures: he does not agree with the traffic study and feels it is not accurate. Traffic is ridiculous. It takes forever to go anywhere. There will also be a delay for emergency vehicles. He also stated the construction vehicles can start as early as 6:30am being loud. The BD will contact the contractor to ask if they can start later.

Karen Wells, Williams Road-2 houses up from where they are proposing to build: She tries to pull in her driveway and the traffic is outrageous. We don't need that many homes in that project. This project is only going to add to the already existing traffic issues.

Joe Celeste stated the hill on Spring Avenue was clay that slid down the hill.

Lynn Wright: Deana Drive: part of this development will be right behind her. She doesn't feel this new project will have any effect on making the traffic any more difficult than it is now.

Terry Weber: Cook Street: When the Menands Bridge project is completed (whenever) this may relieve some traffic concerns. Maybe this could look at this and see if it will make traffic better.

**Planning Board  
Meeting Minutes  
April 22, 2024  
Page 5**

Chairman stated that project is not even funded yet. We have to analyze all the data we receive including traffic studies.

Mr. ? Meadow Drive: spoke again. Would you want this project to go through if you live in that area?

Sue Ellen Lynsky spoke again. She is worried about the traffic near her parents home and things have definitely changed.

Ms. Wells spoke again: Why so many homes. Chairman stated it is allowed by zoning. We are required to review everything and the board is taking all of this in. The applicant has to respond to all these comments in writing per Chairman Lacivita. Chairman also stated this can be opened for 10 days for someone else to comment in writing.

Motion made to close public hearing until the applicant can get more requested information by Mr. Wilson and seconded by Ms. Foley. All in favor.

Applicant would like a few months before he comes back to get the minutes and work on this.

Motion made to table for the applicant to get more information by Mr. Wilson and Ms. Foley. All in favor.

**Presentation(s): None**

**Old Business/Discussion(s):**

- **Application 23-05, for the site plan application of Finelli Development Corporation (John Finelli), 359 Broadway, Troy, NY 12180, for the purpose of redeveloping & combining the properties known as 11 Glenmore Rd & 76 North Greenbush Rd; convert the existing single family dwelling at 11 Glenmore Rd into commercial space, construct a 3,200 SF commercial building with a drive thru, at the proposed address of 78 North Greenbush Rd & site plan modifications to ingress and egress on North Greenbush Rd, in a BG district, having parcel ID#'s: 123.09-2-4 & 123.09-2-6 respectively. (Motion made to Table because applicant needs more time by Foley and DeJulio. All in favor)**

**Application 23-10, for the site plan application of Bloominggrove Properties Assoc., LLC, 1 Juniper Drive, Delmar, NY, 12054, for the purpose of constructing two mixed-use buildings consisting of 260 middle-income apartment rental units with**

**Planning Board**  
**Meeting Minutes**  
**April 22, 2024**  
**Page 6**

**basement level parking and retail/commercial on the first floor of each building and to construct an Ambulance Corp. building located at 726-728 Bloomingrove Drive, Rensselaer, NY 12144, in a PDD zone, having parcel ID#'s 144.-10-33.111 & 144.-10-33.112. Per Chairman a meeting took lace regarding this application involving other agencies.** (Motion made to Table without a date to come back to allow applicant more time to gather and review public comments information by Ms. Foley and DeJulio. All in favor.)

- **There was a meeting regarding the Meadow:** Per Mr. Westfall regarding the issues at that site on already built homes (Giovanna Court). An engineer came and recommended a mitigation but the contractor did not install exactly what was asked per Mr. Westfall. Then there will be a remediation plan starting per Mr. Westfall. Soils report is needed, upgrades to foundation systems reviewed to make sure they were done correctly. Mr. Westfall stated their engineer does not feel they need to do additional soil testing. There will possibly be supervision on the site to make sure mitigation has been done properly. R. Westfall was on the site today. They are trying to get permission to fill in a ravine on site.

Chairman asked about who I being billed for all the additional time for the project issues and Mr. Westfall stated the applicant is billed.

Mr. Ahern went to the site and he is not happy about what he saw.

Chairman said when they come back to get the next phase approved this board will require solid proof that these issues have been rectified satisfactorily.

Mr. Reedy, 1101 Giovanna: His deck and his neighbors are the ones having their deck issues. Their equity is going down. Foundation wall are cracking, walls are cracking, no drainage, erosion shelf getting deeper, air conditioning units are sliding down the hill.

Request: Stop all building at the Meadows until all these issues are repaired satisfactorily.

They would like these issues to be rectified in a timely manner and have a plan in place for all of this and must be monitored by the BD. He said we need help.

Mr. Danaher stated that in a situation like this there is a MOU. And they need to have a remediation plan in place ASAP. Mr. Reedy stated the builder is their HOA now and they pay their fees to them.

**Planning Board  
Meeting Minutes  
April 22, 2024  
Page 7**

MOU is on the Town Board and be developed by them per Chairman Lacivita.

Mr. Danaher said the residents need to produce a warranty on their homes and they will get that to the board.

Chairman will send a letter to the town board regarding this so the BD can do whatever they need to get this project rectified motion made by Wilson and DeJulio. All in favor.

Mark ? Casale Court: he said Mr. Ahern was there over the weekend. There are others in worse shape than he is but he is also having issues. He needs something behind his home.

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- **Business Meeting**
  - **Approval of last month's meeting minutes-** Motion made to approve March 2024 Meeting minutes by Mr. DeJulio and seconded by Ms. Foley. All in favor.
  - **Ms. Foley:** spoke about the traffic on Rt. 4: The one lane in the circle is a problem. A car had stalled and it held up traffic because there was only one lane and it was blocked. It is obvious it needs two lanes. Chairman stated that was a funding issue and that effected the two lane design. Possibly changing the lights on route 4 to synchronize. She bought this up because there are other projects to be built in that area and it is dangerous now.
  - **Motion to Adjourn:** at 8:53pm by Mr. Ahern and seconded by Mr. Wilson. All in favor.
  - **Next meeting date: May 20, 2024 (the regular scheduled meeting date falls on Memorial Day).**

**Pending Project(s):**

- Application 24-01, for the Sketch Plan Application of Wynantskill Solar, LLC, represented by C.T. Male Associates, 50 Century Hill Drive, Latham, NY 12110, for
- the development and construction of a 3.3 MW ground-mounted solar farm at 163 West Sand Lake Road in an R2 district, having parcel ID#: 124.-5-9.11.

**Planning Board  
Meeting Minutes  
April 22, 2024  
Page 8**

- **Application 21-14, for the site plan application of Leon Fiacco, 30 Red Oak Lane, Rensselaer, NY 12144, for the vacant property located at 325 North Greenbush Road (Route 4), Troy, NY 12180, having parcel ID#: 134.1-4.4 located in a BG (General Business) district.**
- **Application 23-03, for the site plan application of Thomas Dingley, 190 Pershing Ave, Wynantskill, NY 12198, for the purpose of constructing two mixed use buildings with commercial on the first floor and residential on the second floor, at the property located at 128-130 Main Avenue, Wynantskill, NY 12198, in a H (Hamlet) district, having parcel ID#s: 124.5-6-15.1 & 124.5-6-15.2.**

**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](mailto:building@townofng.com) . Please see the Planning Board page on the Town's website to view the application(s).**