

**ZONING BOARD OF APPEALS  
Town of North Greenbush  
2 Douglas Street  
Wynantskill, NY 12198  
Meeting Minutes  
July 14, 2021**

**Attendance: John Dalmata, Richard French (Chairman), Leanne Hanlon (Secretary), Michael Miner (Building Department), Robert Ewing, Tony Crucetti, Louise Germinerio, Al Kolakowski (Legal Counsel).**

Chairman French opened the meeting with the Pledge of Allegiance and roll call. Chairman French also explained the special permit rules.

**Old Business: None**

**New Business:**

**Application 21-26, for the area variance request of Rusty Humphrey, 47 West Sand Lake Road, Wynantskill, NY 12198, for relief from setback requirements of 20 ft. for the purpose of installing an above ground swimming pool 15 ft. from the side property lines, at the property located at 47 West Sand Lake Road, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 124.10-17.21.**

Mr. Humphrey has a 21 foot pool and a 51 foot wide yard. He will need a 15 foot setback. The board reviewed the plot plan. The pool is in the center of the yard and he is 50 feet from the back line. Flush water will run toward the back of the property as suggested by Board.

Public Hearing Opened:

No one wishing to speak.

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

Chairman French read all zoning questions . No concerns with board members.

Per Mr. Miner: County-local consideration shall prevail.

Type II SEQRA

Motion made to approve as presented by Mr. Crucetti and seconded by Mr. Dalmata.

Roll call vote: Dalmata, Crucetti, French, Germinerio, Ewing. All in favor.

**Application 21-27, for the special permit request of Kathleen Clough, 8 Gardner Road, Wynantskill, NY 12198, for the purpose of having chickens, at the property located at 8 Gardner Road, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 124.9-15-36.**

Mr. Clough spoke about the application. They would like to have 6 chickens for eggs and educational purposes. They have a one acre lot.

**Zoning Board  
Meeting Minutes  
July 14, 2021  
Page 2**

Chairman French read the standard conditions for chicken requests.

- No roosters
- Limit of 6 chickens
- Food stored in bin that can not be accessed by other rodent or animals
- Written plan for waste
- No Free Range
- Pen enclose on all sides and top
- Pen in rear of yard 15 feet from property line

Public Hearing Opened:

No one wishing to speak.

Motion made to close the Public Hearing by Mr. Dalmata and seconded by Mr. Crucetti.

Mr. Miner: County-local consideration shall prevail.

Type II SEQRA

Motion made to approve with above conditions by Ms. Germinerio and seconded by Mr. Crucetti. Roll Call Vote: Dalmata, Crucetti, French, Germinerio, Ewing. All in favor.

**Application 21-28, for the special permit request of the American Legion Post 1489, 111 Main Avenue, Wynantskill, NY 12198, for the purpose of installing a message board LED sign, at the property located at 111 Main Ave, Wynantskill, NY 12198, in a H (Hamlet) district, having parcel ID#: 124.5-3-15.**

Bill McGuirk, Jeff Blood (Legion) and Daron Katz (Saxton Signs) represented the application. Mr. McGuirk stated the new LED sign will replace the current sign and will be to promote activities and events for the American Legion.

Mr. Katz stated they will use the existing footprint and it will be a 3x6 electronic message center. 9mm modem, auto dimmer, change of pics/messages every 15 seconds.

Public Hearing Opened:

No one wishing to speak.

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

Board proposed condition: dimmed image 12am-6:00am.

Unlisted SEQRA action. All questions were asked and answered by board members.

**Zoning Board  
Meeting Minutes  
July 14, 2021  
Page 3**

Motion made for a neg dec by Mr. Dalmata and seconded by Mr. Ewing. All in favor.  
Motion made to approve with above condition by Mr. Crucetti and seconded by Ms. Germinerio. Roll call vote: Dalmata, Crucetti, French, Germinerio, Ewing. All in favor.

**Application 21-29, for the area variance request of Curtis Durivage, 10 Ellen Avenue, Troy, NY 12180, for relief from minimum lot size requirements of 20,000 sf. and relief from width at setback requirements of 110 ft., for the purpose of constructing a single family home on a lot having 13,950 sq. ft. and a width at setback of 83 ft., at the property located on Glenmore Road, in an R1 district, having parcel ID#: 123.9-1-7.**

Mr. Durivage is asking for a 2 year approval due to the price of lumber. This was his father's land which he purchased. He is looking to downsize from his current home and will most likely build a small ranch. Chairman French asked if Mr. Durivage could add property to this lot? Mr. Durivage would like to but there is no land available to do that.

Public Hearing Opened:

Mr. Joe Mazzaway spoke in favor of the application and he sees no concerns with the area variance.

No one else wishing to speak.

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

All area variance questions were asked and answered by board members. No concerns noted by board members.

Per Mr. Miner: County-local consideration shall prevail.

Motion made to approve with 2 year expiration by Mr. Dalmata and seconded by Mr. Crucetti. Roll call vote: Dalmata, Crucetti, French, Germinerio, Ewing. All in favor.

**Application 21-30, for the area variance request of John Finelli, 359 Broadway, Troy, NY 12180, for relief from the number of parking spaces required (72), relief from 10ft. parking setback and relief from maximum lot size requirements of 75%, for the purpose of redeveloping the site at the properties located at 9 Glenmore Road and 76 NYS Route 4, Troy, NY 12180, with 54 parking spaces, a two foot parking setback and 77% lot coverage in an BG district, having parcel ID#s: 123.9-2-5 and 123.9-2-6.**

John Hitchcock-ABD Engineers spoke about the application. He is representing Finelli Development.

**Zoning Board**  
**Meeting Minutes**  
**July 14, 2021**  
**Page 4**

3200 sq feet commercial building and 9 Glenmore Road home that will be torn down. He is proposing a 2700 sq foot addition in the rear of the property and a 114 sq foot addition on the front of the existing building. He expects three tenants to occupy the building when it is complete. One of the tenants will have a drive-thru. They are also requesting a variance for front parking. The restaurant area will be 2000 sq feet.

Public Hearing Opened:

No one wishing to speak.

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

There was a discussion regarding them meeting with the BD and Chairman French and Chairman Lacivita so they can work out any issues prior to the August meeting.

Motion made to table this application until the August meeting by Mr. Dalmata and seconded by Ms. Germinerio. All in favor.

June meeting minutes will be reviewed at the August meeting.

Motion made to adjourn by Mr. Crucetti and Ms. Germinerio. All in favor.

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) .