

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
July 12, 2023

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

Chairman French discussed public hearing policies and read the Town Board policies so this board can adopt some of those procedures. Motion made to adopt these procedures by Mr. Masone and seconded by Mr. DeJulio. All in favor.

Chairman French also explained the special permit rules and what this board does.

Application 23-17, for the area variance request of Lori Bonesteel, 23 Sharpe Avenue, Wynantskill, NY 12198, for relief from setback requirements of 20 ft. from property lines, for the purpose of placing an above ground swimming pool 5.5 ft. from the left side property line, at the property located at 23 Sharpe Avenue, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 124.10-13.4

No one present for the application and no one present to represent the applicant. A decision will be made at the end of the meeting as to whether to table.

Mr. Bonesteel became present during the meeting and the board heard the application. He stated the building inspector came on 7/3/23. He said his name was Eric. Mr. Cioffi stated he did not review this property. Chairman stated it could have been an electrical inspector. Chairman French stated he didn't feel this was a new pool when he looked at it. Mr. Bonesteel was advised by Chairman to speak with the Building Department. He also plans to install a privacy fence and deck in the future.

Public Hearing Opened:

No one wishing to speak.

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

County: Local consideration shall prevail per Mr. Cioffi.

Undesirable change: No

Benefits sought by applicant: No

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

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Type II SEQRA-Single family home.

Condition: No drainage of pool onto neighbors property.

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 23-18, for area variance request of Rick Brimmer, 73 Reichards Farm Road, Poestenkill, NY 12140, for relief from setback requirements of 12 ft. to an accessory structure, for the purpose of constructing a 20 ft. x 20 ft. addition approximately 6.08 ft. from the existing detached garage, at the property located at 30 Streamview Lane, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 124.10-8-8.

Michael Brant represented Mr. Brimmer and discussed the application with the board. This will be a 20 x 20 addition. Chairman asked if there were any other setback issues with the exception of the garage per Mr. Cioffi. It is a single family home. All siding and roof will match (new roof will also be installed).

Condition: Siding and roof need to match as best as possible to existing. One year separation.

Public Hearing Opened: No one wishing to speak.

Motion made to close Public Hearing by Mr. DeJulio and seconded by Mr. Crucetti. All in favor. No written correspondence per Chairman French.

Type II SEQRA

County: Local consideration shall prevail per Mr. Cioffi

Undesirable change: No

Benefits sought by applicant: No

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

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

Application 23-19, for the special permit request of Ryk Spoor, 3 Glenwood Road, Troy, NY 12180, for the purpose of continuing raising chickens, at the property located at 3 Glenwood Road, Troy, NY 12180, in an R1 district, having parcel ID#: 123.3-2-1.1.

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Mr. Spoor spoke about the application. He has had chickens for about 12 years. He also has a letter from one of his neighbors in favor. They are currently in a coop that will house 15 chickens. He said they treat them as pets. There are also others in the neighborhood with chickens. He would like the permit approved so he can keep the chickens he has. He has 14 right now per his daughter Victoria. No roosters. He stores the feed in a shed in a covered container. He composts the waste on site. They would like to keep the ones they have. Valerie Wall (Rensselaer County Department of Health-Victoria's peer manager). Her professional opinion is not to take any away but not replace them when one passes. Mr. Masone asked if she would put that in writing and she explained she cannot but her supervisor could. Mr. Masone asked if he would agree to a condition that he not replace any of the chickens when they pass and then get to 6 chickens.

Chairman French read a letter for the record, the neighbors (19 Glenwood Road) across the street, and stated they have had problems with these chickens and a rooster. Letter for the record.

Chairman read a letter from Mr. Spoor's wife as well.

Public Hearing Opened:

Gail Asterkirk, 55 Glenwood Road: She has lived there along time. She has dealt with chickens her whole life. She feels the children take very good care of the chickens. She feels it would be detrimental to take some away. She is asking that they be able to keep the chickens.

No one else wishing to speak.

Motion made to close Public Hearing by Ms. Germinerio and seconded by Mr. Crucetti. All in favor.

Chairman French stated there have been a lot of zoning changes in that area. He also stated that area has never been an AG district and they are in a residential neighborhood. He said there are people all over town who have chickens, but you would not know it because they follow the guidelines and conditions.

Chairman French reviewed each of the conditions with Mr. Spoor.

Mr. Spoor spoke about the conditions Chairman read and is willing to comply in the future.

Chairman asked how long does he expect to get down to six chickens. He is not sure because their chickens live longer because of their good care. Victoria stated they lose about 3 per year.

Conditions: No Rooster, feed must be in predator proof containers, must be fence on sides and top and put in the ground (60 days to cover top), waste will be composted and Mr. Spoor needs to provide a written waste plan, no free range, coop must be in rear yard and at least 15 feet from property line, no more than 6 chickens through attrition and 30 months time.

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Single Family home – Type II SEQRA

All questions were asked and answered by board members.

Motion made to approve with above specific conditions by Mr. DeJulio and seconded by Mr. Masone.

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

Application 23-20, for the area variance of Grace Ruseskas (GNS Group/Gloede Neon Signs), 97 N. Clinton Street, Poughkeepsie, NY 12601, for relief from sign square footage requirements, for the purpose of constructing a freestanding LED sign with approximately 78.5 sf per side, at the property located at 529 North Greenbush Road, Rensselaer, NY 12144, in a C (Commercial) district, having parcel ID#: 144.2-4-8.

Tom Walsh presented the application for Ms. Ruseskas. He provided a rendering for the board to review. The sign will be 6 x 8. They will be removing the current sign and adding the one he is presenting. (32 sq feet).

Chairman French stated that the original sign was hesitantly approved previously. Chairman also relayed his concern about other vendors on that site asking for signage.

Public Hearing Opened:

No one wishing to speak.

Motion made to close Public Hearing by Mr. Crucetti and seconded by Mr. Masone. All in favor.

Chairman read a written comment to the record by Mr. Mair.

Unlisted Action – SEQRA required.

All questions were asked and answered by Board Members.

Motion made for a neg dec by Mr. Masone and seconded by Mr. DeJulio.

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

Local consideration shall prevail.

Undesirable change: No

Benefits sought by applicant: No.

Substantial: No

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Adverse affect: No

Self created: Yes but does not preclude

Conditions: time for sign to be operating, bring the intensity down of the lighting, some kind of landscaping around base.

Motion made to approve with 2 conditions by Mr. DeJulio and seconded by Ms. Germinerio.

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

Application 23-21, for the area variance of Lawrence J. Meracle (Action Sign Co.), 3276 River Road, Rensselaer, NY 12144, for relief from sign square footage requirements, for the purpose of installing two wall-mounted signs with approximately 120.92 sf per sign, at the property located at 500 North Greenbush Road, Rensselaer, NY 12144, in a BN (Neighborhood Business) district, having parcel ID#: 133.-2-15.12.

Luke Tibling spoke about the application. They are asking for larger sign than allowed because of how far off the road they are. This is the sign for Aldi's.

Chairman French stated he has no problem at all filling the panel on the road. The other panel cannot be seen on Rt. 4 until you are at the intersection. He asked what purpose this second sign would have if it can only be seen by a few apartments in Oak Hill. Mr. Tibling said it would balance out the site. He did say they don't "need" the sign per say.

Local consideration shall prevail.

Public Hearing Opened:

No one wishing to speak.

Motion made to close Public Hearing by Ms. Germinerio and seconded by Mr. DeJulio. All in favor.

One written comment was read into the record by Mr. Mair.

Conditions: Only one sign facing Rt. 4 directly. Size per application. Hours for sign-8am-10pm.

Undesirable change: No

Benefits sought by applicant: No.

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

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All SEQRA questions asked and answered by board members.

Motion made for a neg dec by Mr. Masone and seconded by Mr. DeJulio.
Roll call vote: Masone, Crucetti, French, DeJulio, Germinerio. All in favor.

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.

June ZB minutes were not approved and will be at next meeting.

Motion made to adjourn at 8:05pm by Mr. DeJulio and seconded by Mr. Masone.

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.