

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
February 14, 2024

Attendance: Richard French (Chairman), Leanne Hanlon (Secretary), Eric Westfall (Building Department), Tony Crucetti-absent, Louise Germinerio, Michael Masone, 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 and what this board does.

Old Business: None

New Business:

- **Application 24-02, for the special permit request of Brandon Cook, 59 Kent Place, Wynantskill, NY 12198, for the purpose of raising chickens at the property located at 59 Kent Place, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 135.17-2-13.**

Mr. Cook spoke about his application. 4 x 6 foot currently and a run. He did not know about the capacity limit when he moved here. He already has the chickens and coop. Chairman French mentioned that we received many emails regarding this coop and chickens (running all over the property and other properties, chicken waste on other properties, waste containment, too many chickens, a rooster on site (he said he removed the rooster), etc.

Public Hearing Opened:

No one wishing to speak.

Emails read into the record by Chairman French.

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

County per Mr. Cioffi: Local consideration shall prevail.

Conditions: No Roosters, covered all four sides for coop and dug into the ground, no more than 6 chicks, feed in a rodent proof container with appropriate lid, waste plan to be followed, no free ranging, pen must be in rear yard, move compost and be reviewed by BD, and no less than 15 feet from property line and rain will not affect it and relocate coop.

Type 2 SEQRA

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Mr. Cook listened to the neighbors' concerns and is open to them. He composts his waste. He is willing to move the waste containment to another location. He also needs to completely enclose the pen area per Chairman French, and he will. He will also get it down to 6 chickens through attrition (death). But he feels he can do that quickly.

Motion made to approve with above conditions by Mr. Masone and seconded by Ms. Germinerio.

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

- **Application 24-03, for the area variance request of James R. Osgood, Jr., 18 Oberlook Avenue, Wynantskill, NY 12198, for relief from side and rear setback requirements of 10 feet, for the purpose of constructing a 26' x 32' detached garage, at the property located at 18 Oberlook Avenue, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 135.10-9-13.**

Mr. Osgood spoke about his application. 26x32 garage for some of his property and storage and to store his racecar as well. He is proposing 6 and 7 foot setbacks per Mr. Cioffi.

The BD does not know exactly where the property line is because the map is not correct. He currently does not have a garage. He offered to get his property surveyed. Chairman French suggested that he get it surveyed because the picture of the property line shows his property goes through the neighbor's driveway. Mr. Masone asked if he could move over 3 feet so the setback could be 10 feet. He is planning for the garage to go where the current shed is.

Public Hearing Open:

No one wishing to speak.

An email was read into the record.

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

County per Mr. Cioffi: Local consideration shall prevail.

Undesirable change: No

Benefits sought by applicant: No-it's being constructed no closer than his shed is on his property.

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

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Condition: Garage to be constructed no closer to the property on left side than the current shed is.

Motion made to approve with conditions above by Mr. Masone and seconded by Ms. Germinerio.

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

Motion made to move March meeting to March 20 by Chairman French and seconded by Ms. Germinerio and Mr. Masone. All in favor.

Motion made to approve November 2023 meeting minutes by Mr. Masone and seconded by Ms. Germinerio. All in favor.

Motion made to approve December 2023 meeting minutes by Mr. Masone and seconded by Ms. Germinerio. All in favor.

Motion made to approve January 2024 meeting minutes by Mr. Masone and seconded by Ms. Germinerio. All in favor.

Motion made to adjourn at 7:16pm by Mr. Masone and seconded by Ms. Germinerio. All in favor.

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.