

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
May 8, 2024

Attendance: Richard French (Chairman), Leanne Hanlon (Secretary)-absent, Eric Westfall (Building Department), Tony Crucetti, 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:

- **Application 24-10, for the area variance requests of Michael Groff, 2 Winners Circle, Albany, NY 12205, for relief from front yard (30') minimum setback requirement for the purpose of constructing 14 townhomes, at the properties located at 201, 202, 401, 402, 601, 602, 801 & 802 Kristina Loop, Troy, NY 12180 and 2201, 2202, 2401, 2402, 2601 & 2602 Brianna Boulevard, Troy, NY 12180, in a PDD district, having parcel ID#'s: 122.12-1-38, 122.12-1-37, 122.12-1-36, 122.12-1-35, 122.12-1-34, 122.12-1-33, 122.12-1-32, 122.12-1-31, 122.12-1-48, 122.12-1-47, 122.12-1-46, 122.12-1-45, 122.12-1-44 & 122.12-1-43.**

Chairman French explained that this was tabled last month. Since then there was a meeting involving town officials regarding the best way to review this application. Planning Board also felt this was outside their area of responsibility. Chairman stated that the applicant is going before the town board with a new application to have his approval revised. It has not been done yet according the Chairman French. We do not know if the applicant will pull this application yet however. Chairman French stated two written correspondences which he read into the record. One was in favor and the other correspondence was against.

Motion made to table the public hearing for this application by Mr. Crucetti and seconded by Mr. Masone. All in favor.

New Business:

- **Application 24-11, for the area variance request of Timothy & Alison Dennin, 23 Glenmore Road, Troy, NY 12180, for relief from rear (20') minimum setback requirement for the purpose of installing an in-ground swimming pool 5 ft. from the rear property line, at the property located at 23 Glenmore Road, Troy, NY 12180, in an R3 district, having parcel ID#: 123.9-1-7.**

Ms. Dennin spoke about their application. Her yard is shaped in a way that this layout would be the only option. Chairman asked why it cannot come closer to the home and

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Ms. Dennin explained that there is currently a patio (deck) in the location he is referring to. She explained that her rear area is all fenced in.

Public Hearing opened:

No one wishing to speak. Motion made to close the public hearing by Mr. Masone and seconded by Ms. Germinerio. No written correspondence received.

County: Local consideration shall prevail per Mr. Cioffi.

Chairman stated that given the fact that this is a very narrow property but we usually take the 50% rule in determination.

Undesirable change: No

Benefits sought by applicant: No

Substantial: No there is no other way.

Adverse affect: No

Self created: Yes but does not preclude

Type II SEQRA

Condition: Flush run off needs to go to the right (west side) into the swale.

Motion made to approve with above condition by Mr. Masone and seconded by Mr. Crucetti.

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

- **Application 24-12, for the area variance request of Elizabeth & Sarah Hough, 77 Snyders Lake Road, Wynantskill, NY 12198, for relief from left side (20') minimum setback requirement for the purpose of installing an above ground swimming pool 5 ft. from the left side property line, at the property located at 77 Snyders Lake Road, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 134.9-1-26.111.**

Sarah Hough spoke about her application. She stated because of the way the property is laid out the spot they chose is the only place to put the pool. Chairman French asked who owns the other lot and she stated Linda Clemente and is pending sale.

Public Hearing opened:

No one wishing to speak.

Motion made to close Public Hearing by Ms. Germinerio and seconded by Mr. Masone.

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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

County: Local consideration shall prevail.

Condition: Flush water needs to go to the back of the property.

Motion made to approve with above condition by Mr. Masone and seconded by Mr. Crucetti.

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

- **Application 24-13, for area variance requests of Lynne & Paul Swedick, 52 Troy Avenue, Wynantskill, NY 12198, for relief from right side minimum setback requirement of 10' and for relief from minimum setback requirement of 12' to the existing dwelling for the purpose of constructing a two-story, detached 24' x 24' garage approximately 6 ft. 7 in. to right side property line and 5 ft. to the existing dwelling, at the property located at 52 Troy Avenue, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 135.9-8-6.**

Ms. Swedick distributed information to the board. The reason for the two story is so the dormers will match the cape cod style home. She quoted the setback feet above. Her husband is ill and his only wish is to have a garage. She is aware of all the town regulations and fully intends to comply with them. Mr. Swedick showed the board an aerial picture of where they will put the garage. They also intend the second floor for storage only. Chairman noted that the board typically does not allow plumbing for the second level and it is usually a condition.

Public Haring opened:

No one wishing to speak.

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

Undesirable change: No
Benefits sought by applicant: No

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Substantial: No
Adverse affect: No
Self created: Yes but does not preclude

Type II SEQRA

Condition: No plumbing in garage.
Motion made to approve with above condition by Mr. Crucetti and seconded by Ms. Germinerio.
Roll call vote: Masone, Crucetti, French, Germinerio. All in favor.

- **Application 24-14, for the area variance request of Ryan Taylor & Kara Horton, 14 Parkview Court, Troy, NY 12180, for relief from minimum lot size requirement of 2 acres and for relief from width at setback requirement of 300 ft. for the purpose of constructing a single-family home on a 1 acre lot and a width at setback of 207.6 ft., at the property located on Mammoth Spring Road, Wynantskill, NY 12198, in an AR district, having parcel ID#: 145.-10-17.2**

Ms. Horton spoke about the application. She is aware of the two acre requirement but they have one acre. It appears that the property was split a while ago per Chairman French. The home will be one story. Well water. Septic as well. Mr. Masone asked what size the home will be. They do not have an exact size at this time.

Public Hearing Opened:

Carrie Brooks: 263 Mammoth Spring road: Asking what water pressure will be affected including her well water. Chairman stated a single home does not have any effect on the well water. The county requires that they must have 100 feet from existing well. Chairman French read one written correspondence for the record which is not in favor.

Chairman asked if there is something they can do to landscape the rear of the proposed home to ensure the rear neighbor and them have privacy. Mr. Taylor stated that is their plan. The home will also have a basement.

Conditions: Plantings/Landscaping on the west property line.

Motion made to close the public hearing by Ms. Germinerio and seconded by Mr. Masone.

Undesirable change: No

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Benefits sought by applicant: No

Substantial: No

Adverse affect: No

Self created: Yes but does not preclude

Type II SEQRA

Motion made to approve with above condition by Mr. Crucetti and seconded by Ms. Germinerio.

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

- **Application 24-15, for the area variance of Ariel Saati, 28 Buckbee Road, Troy, NY 12180, for relief from the number of parking spaces required (46), for the purpose of extending the parking lot with 42 parking spaces for the conversion of a medical office to a restaurant, at the property located at 27 West Sand Lake Road, Wynantskill, NY 12198, in a H (Hamlet) district, having parcel ID#: 124.10-20-1.**

Per Mr. Cioffi the revised site plan is for 36 parking spaces. There is no spot for dumpster space on the new plan. That could affect the number of parking spots.

Mr. Saati explained his application and that he has been before the PB as well.

It was noted that the neighbors were at the planning board meetings. A letter was also signed by the owner of 25 West Sand Lake road regarding the fencing and screening.

Chairman French asked if there is anything that can be done for buffering the parking spots. The existing parking spots were pointed out on the plan. Mr. Crucetti asked about music and noise and night time hours and Mr. Saati stated that will not occur. Mr. Saati also showed the board where the dumpster will be.

Motion made to table the application to give applicant time to show where certain things will be placed on the site plan and to get a firm number of spaces that will be left after everything is placed by Mr. Crucetti and seconded by Mr. Masone. All in favor.

Motion made to adjourn at 7:40pm by Ms. Germinerio and seconded by Mr. Crucetti. All in favor.

April minutes will be reviewed at June's meeting.

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.