Attendance: Andrew Mair, John Dalmata, Richard French (Chairman), William Fiacco, David Wilson, Stephanie Piel (Legal Counsel), Leanne Hanlon (Secretary), Michael Miner (Building Department).

Chairman French opened the meeting with the Pledge of Allegiance and explained the Zoning Board function to the public.

Application #10-020, the area variance request of Annette & Jim Crawford-Harris, 5 Francis Drive, Wynantskill, NY 12198, for relief from minimum right side setback requirements of 20 feet for the purpose of constructing an addition 17 feet from the right side property line at property located at 5 Francis Drive in an RS district (parcel ID#:135.13-10-14).

Annette Crawford-Harris explained her application and that she would like to build a two car garage on the existing garage and change the existing garage into a family room 24 x 24. Applicant intends to match the current exterior of what is there now and use brick work on the front if they cannot get matching siding. There will be a staircase in the garage to get to the upstairs storage area. The existing garage will be turned into living space.

Public Hearing opened: No one wishing to speak.

A letter was faxed to the ZBA which was read from Frank and Jonelle Sorriento, 9 Francis Drive. They are in opposition. They could not attend this evening.

Mr. Mair asked why she cannot put an addition on the rear and she stated it would be substantially more and she cannot afford that. She said an architect came up with the most reasonably priced way to create this. He also mentioned that he thinks we should consider the Sorriento’s request to postpone until next month.
Motion to close Public Hearing by Mr. Dalmata and seconded by Mr. Fiacco.

Mr. Mair requested to keep the public hearing opened so the Sorriento’s can come to the next meeting.

First motion to close hearing was withdrawn.

Mr. Mair made a motion to table application and continue Public Hearing until the first Wednesday in October. He also stated that the applicant should bring documentation showing how much more it would cost to put the addition in the rear of the home. Seconded by Mr. Fiacco. Mr. Wilson would also like to see a plan as to where the driveway would be for next month. All in favor motion carried 5-0

Old Business:

Application #10-009, the special permit request of Arthur D. Clement, 30 Billings Avenue, Troy, NY 12180, for the purpose of allowing a small engine repair/automotive repair shop in the existing garage located at 139 Main Avenue, Wynantskill, NY 12198 in a BG District (parcel ID# 124.5-4-20).

Mr. Miner reviewed the letter that was sent by Mr. Billings stating he is withdrawing/forfeiting his application. An order to remedy and a stop work order was issued per Mr. Miner.

Motion made to accept the withdrawn/forfeit application by Mr. Fiacco and seconded by Mr. Dalmata. All in favor. Motion carried.

Application #10-011, the area variance and special permit request of Scott Wasula, 50 Woodland Road, Troy, NY 12180 for relief from height restrictions of 40 feet, for the purpose of constructing a Windmill with a maximum height of 80 feet at the property located at 50 Woodland Road in an RS district (parcel ID# 123.13-6-12).

A better map was provided by the applicant which was reviewed by the board. Front variance, rear variance and left side variance is what would be needed. Mr. Wasula stated he came to the board with the solution to the
Town of North Greenbush
Zoning Board of Appeals
Meeting Minutes
September 1, 2010

road frontage that the board had asked for.

Chairman French explained to Mr. Wasula that we cannot approve something that is substantial.

It was also noted that if some property lines are changed it would affect the septic that is currently there.

Motion made by Mr. Fiacco to approve as requested and seconded by Mr. Dalmata.

Undesirable change to neighborhood or detriment: No—it does not affect any adjacent lots. except for Mair

Can the benefits sought be achieved another way: Mr. Mair states yes because he can move the property lines, but other board members say no because it would infringe on his septic. Chairman French stated it is not feasible to pay to have the property line changed when the applicant owns both properties.

Is the variance substantial? Totality of circumstances can be looked at to say it is not substantial. The board with the exception of Mr. Mair stated it is not substantial given the previous zoning code.

Adverse effect on physical or environment? No

Self created: Yes but does not preclude

Type II SEQRA Action.

If approved - conditions:

1. Plantings to provide for privacy on southeast property line and northwest corner of 50 Woodland Avenue with 25 feet in each direction.
2. Home to be built not to exceed 2000 square feet.
3. Deeds to be combined and filed with county clerk prior to the issuance of building permit.
Town of North Greenbush
Zoning Board of Appeals
Meeting Minutes
September 1, 2010

4. One year to obtain building permit.

Motion to approve application with above conditions made by Mr. Fiacco and seconded by Mr. Wilson.

Roll call vote: Dalmata, French, Fiacco, Wilson – all yes. Mair – no. All in favor with the exception of Mr. Mair. Motion carried 4-1.

Application #10-012, the area variance request of Scott Wasula, 50 Woodland Road, Troy, NY for relief from front and rear requirements of 35 feet and side setback requirements of 20 feet for the purpose of constructing a single family home 18 feet from the front property line, 15 from the rear property line and 20 feet from the left side property line at the property located on Woodland Road and having parcel ID# 123.13-6-8 in an RS district. The proposed single family residence would be located on the parcel behind 50 Woodland Road and 44 Woodland Road.

When this was last before the board the applicant was asked to show an area on the property where this windmill could be placed away from any structures on the property.

Undesirable change: Yes, Chairman French read information provided by the applicant. It is immediately adjacent to the property line.

Mr. Wasula requested to withdraw this application.

Motion made to accept the applicants withdrawal by Mr. Mair and seconded by Mr. Fiacco. All in favor. Motion carried.

Minutes:

Received Mr. Mair’s edits this evening to revise previous meeting minutes.

Motion to adjourn at 8:14 pm by Mr. Dalmata and seconded by Mr. Wilson.