

**ZONING BOARD OF APPEALS**  
**Town of North Greenbush**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Meeting Minutes**  
**October 11, 2023**

**Attendance: Richard French (Chairman), Leanne Hanlon (Secretary), Eric Westfall (Building Department), Tony Crucetti, Louise Germinerio, Michael Masone-absent, Greg DeJulio, 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.

**Application 23-22, for the special permit request of Timothy & Amy Connors, 11 Hannah Court, Wynantskill, NY 12198, for the purpose of raising chickens, for the property located at 11 Hannah Court, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 135.9-2-2.40.**

Mr. Connors spoke about the application. They recently moved here from Colonie and want to bring their 3 chickens with them. He will have them in a coop and have 3 acres. They may get 3 more next year but no more and they will not be free range per Mr. Connors. He received the requirements from the BD and totally understands them. Mr. DeJulio asked if the fence would be repaired, and it will per Mr. Connors.

Public Hearing opened:

No one wishing to speak.

Motion made to close public hearing by DeJulio and Crucetti. Also, no written correspondence.

County: local consideration shall prevail per Mr. Westfall.

Conditions: Feed properly stored, no rooster, fenced on all sides and bottom to prevent predators, plan for waste removal, no free range, no more than 6 chickens, coop must be in the rear of the property.

Type II SEQRA

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. DeJulio and seconded by Mr. Crucetti.

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

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**Application 23-23, for the area variance request of Brandon Smith, 20 Thompson Court, Rensselaer, NY 12144, for relief from setback requirements of 20 ft. from property lines, for the purpose of placing an in-ground swimming pool 10 ft. from the rear property line, for the property located at 20 Thompson Court, Rensselaer, NY 12144, in a R1 district, having parcel ID#: 145.-6-1.1.**

He would like to install a pool for his two children.

Mr. Smith provided a layout to the board of where the pool will be on his property.

Mr. DeJulio asked if he had a place for flush water and he does, and it will not go into any neighbor's property.

Public Hearing Opened:

No one wishing to speak.

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

County: local consideration shall prevail per Mr. Westfall.

Undesirable change: No

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 condition that drainage does not go into any neighbor property by Mr. DeJulio and seconded by Ms. Germinerio.

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

**Application 23-24, for the area variances of Ted Delucia (Vision Planning Consultants, LLC), P.O. Box 442, Newtonville, NY 12128, for relief from minimum lot size requirement of 20,000 Sq. ft. and a minimum width at setback requirement of 110 ft., for the purpose of constructing a single family dwelling with a proposed lot size of 17,500 Sq. ft. and a proposed width at setback of 100 ft., for the property located at 7 Gardner Road, Wynantskill, NY 12198, in a R1 district, having parcel ID#: 124.9-17-10.**

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Mr. Delucia spoke about the application. He provided information prior to the board. He showed a plan to the board. The property line will be moved from where they were before to comply.

He looked at similar parcels in the area to show the board there are similarities. There will be municipal services to the home. The plan is for it to be parallel to the existing house.

Mr. DeJulio asked if he went before the PB and he said the BD stated he did not need to. He asked about the driveway and whether it would be asphalt and it will be per Mr. Delucia.

Public Hearing opened:

James Cardany, 5 Gardner Road: He provided a letter to the board that Chairman French read into the file. He is not in favor of this. He also sent an email that Chairman read.

Mr. Cardany also read a text from Joe ?, 3 Gardner Road in opposition of this.

Kim ?, 6 Gardner Road, She stated there are enough homes on that road. All people who live on Mayfair come through Gardner Road. They are not living there and will flip this house. Will Curtis Road be paved? So they are flipping the current house and selling the new on.

Tom Holeman, 4 Cloverdale, His land comes out onto Curtis Road and he'll be looking right at it. He also stated there I going to be a problem with water running off the property.

Jodi Frucetti, 9 Gardner Road, right next door. This will take away their privacy.

Mr. Cardany spoke again, this would be overcrowding with 110 plus road frontage. He also found two mistakes on the application as well. Blank set back and also listed people who don't live there on the application. Will Curtis Road be connected?

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

Chairman French stated this board takes seriously what we do and carefully review these sites and applications. He was offended that Mr. Cardany stated he was demanding something.

Mr. Delucia stated he did not state in the application that it would be two story. Chairman French showed home where it was in the application. Mr. Delucia stated they will not be building a two story home. He said they are not looking to do anything to Curtis Road and no impact in his opinion. He said there are 20 homes that match the width of this new one in that

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area. They are going to improve the existing home that is there and build a new one on the other piece.

Mr. DeJulio asked how many trees he would cut and his intention is to not cut too many and whatever the board recommends they will do.

If these two lots were in different ownership this would be a simple case per Chairman. Mr. Delucia is asking for a variance for the existing home.

Chairman would like a detailed tree cutting schedule. Then the board can take a look before they are cut. He would also like to see a concept plan for drainage and erosion plan. Mr. Delucia will comply. The board needs a sound plan. It was determined this is for 2 variances.

Motion made to table until next month to allow applicant time to provide additional requested documentation by Mr. Crucetti and seconded by Ms. Germinerio. All in favor.

**Application 23-25, for the area variance of North Greenbush Fire District #1, 350 North Greenbush Road, Troy, NY 12180, for relief from front setback requirement of 25 ft., for the purpose of constructing an addition 8 ft. from the front property line, for the property located at 511 Church Street, in a H district, having parcel ID#: 124.6-8-3.**

Chairman French is recusing himself from this case and turning the gavel over to Mr. DeJulio.

Ed Anchor representing the fire district and Fire Department. Addition would be for 3 bunk rooms. Adjacent to the apparatus bay. They will develop a bunking program. The fire department will also be renovated. Paving will be reconstructed as well (higher and lower).

Public Hearing opened:

Joe Casino, Chairman of Building maintenance spoke. Everything is being upgraded and it is an emergency shelter for Rensselaer County to comply and have shelter if needed. The generating system will possibly be upgraded as well.

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

County: local consideration shall prevail per Mr. Westbrook. They did suggest bollards to protect from cars.

Undesirable change: No

Benefits sought by applicant: No

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

Planning board took lead agency and they completed SEQRA per Chairman French.  
Conditions: None

Motion made to approve by Mr. Crucetti and seconded by Ms. Germinerio.  
Roll call vote: Crucetti, DeJulio, Germinerio. All in favor.

**Application 23-26, for the area variance of John Finelli (Finelli Development Group), 359 Broadway, Troy, NY 12180, for relief from a parking requirement of 149 spaces, for the purpose of proposing 64 parking spaces, for the properties located at 11 Glenmore Road & 76 North Greenbush Road, in a BG district, having parcel ID#'s: 123.09-2-4 & 123.09-2-6.**

Mr. Luigi Poleshi representing the applicant. He showed the board a map. One of the two leftover commercial spaces is now occupied. The property next door has now been purchased by Finelli. The proposed development is now developing the dwelling to commercial space and the additional land would be proposed a new 32,000 commercial building with drive thru restaurant. The concept was proposed to DOT per Mr. Poleshi and they approved. They are also asking for a parking variance for the new lot.

Chairman asked if this went to PB and it has. They suggested they go to ZB for parking. He also stated he likes the idea of changing that right in right out and moving it.

The parking proposed is less than 50% of what is required per Chairman French.

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.

County: local consideration shall prevail, and asked if most of the traffic will be drive thru is there a stacking plan? Mr. Poleshi showed that.

Mr. Westfall stated the PB will take lead agency and review SEQRA.

Part B was added. All questions were asked and answered by board members.

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

Undesirable change: No  
Benefits sought by applicant: No  
Substantial: No  
Adverse affect: No  
Self created: Yes but does not preclude

Conditions: none  
Motion made to approve by Mr. DeJulio and seconded by Mr. Crucetti.  
Roll call vote: Crucetti, French, DeJulio, Germinerio. All in favor.

Motion made to approve June and July meeting minutes by Crucetti and DeJulio. All in favor.  
NOTE: There was no August and September meeting.

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

**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](mailto:building@townofng.com) . Please see the Zoning Board page on the Town's website to view applications.**