

**Town of North Greenbush Planning Board**  
**2 Douglas Street, Wynantskill, NY 12198**  
**Meeting Minutes**  
**March 20, 2023**

Attendance: Mary Jude Foley, Mark Lacivita (Chairman), David Wilson, Leanne Hanlon (Secretary), Mark Ahern, Steven Kirk, Eric Westfall (Town Engineer), Eric Cioffi-Building Department, Ian Silverman (counsel).

**Public Hearings:**

- **The Application for a minor subdivision of Brian Foust, 60 Bloomingrove Drive, Troy, NY 12180, for the purpose of approving a 3 lot subdivision of the property located at 60 Bloomingrove Drive, Troy, NY 12180, in an R1 & R3, having parcel ID#: 123.-1-15.**

Not Present: Motion made to table until the April meeting by Ms. Foley and Mr. Kirk. All in favor.

- **The Site Plan Application of Rosetti Companies, 427 New Karner Road, Albany, NY 12205, for (2) 8 unit apartment buildings to be located adjacent to Ludlow Lane in a rezoned R4 district, having parcel ID#: 133.00-2.6.**

(Partridge Hill Apartments)

Mr. Daniels Hershberg & Hershberg explained issues that needed to be resolved. An emergency access road was added. Traffic on Ludlow-all traffic goes onto Valley view Blvd.

Impact on school system: 16 units so the impact is minimal.

Water and sewer available. Per Chairman no comments from School District. Fire District responded and Chairman gave Mr. Daniels the letter. Keys to Knox box and fire hydrant needed. FD also asked for detail on snow removal and ice maintenance of the emergency access and appropriate signage for that. These will be conditions of approval on the application.

Zoning change was completed by town board per Chairman Lacivita.

20 additional spaces not in the garages and 12 garage spaces.

Ms. Foley asked for a couple of spots for visitors. Matt ? spoke and stated there is another area on the site where visitors can park. Chairman is asking that this be added to the final plan. Mr. Wilson asked about the width of the emergency access road and would like to ensure the width is acceptable.

Ms. Foley asked about a planting schedule and Mr. Daniels stated there will be plantings for screening. Condition – landscaping plan needs to be approved by the BD per Chairman Lacivita. Ms. Foley asked about plantings and fencing for the water retention pond and Mr. Daniels stated because of the slope they don't feel a fence is needed by the side facing the apartments. Westfall stated it is a shallow pond but they will look at this and protecting the perimeter.

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Public Hearing opened:  
No one wishing to speak.

Motion made to close public hearing by Mr. Kirk and seconded by Ms. Foley. All in favor.

- **The Application for a major subdivision of Capital Area Properties, LLC, 1 Coyote Lane, Troy, NY 12180, for the purpose of constructing 19 residences (single family homes & town homes), at the property located on Pheasant Lane, in an R1 & R2 district, having parcel ID#: 123.11-4-7.11.**

Steve Hartt-Hartt Engineering – 19 lot sub division. He showed a map for the public. 23 acres. Wetlands are highlighted on the map. Zero disturbance of wetlands per Mr. Hartt.

A town road will be built per standard for the town. Down to 19 units from 27. Storm water management will meet DEC standards per Mr. Hartt. As well as county Health Department standards. There will sewer extensions but they are within the water district.

No school of fire district or state DOT comments per Chairman. They met with the highway superintendent.

Ms. Foley asked about the storm water retention area and the flooding down the road. Mr. Cioffi is comfortable with the plan and that it can be resolved.

Public Hearing Opened:

Dawn Beverwick: Whiteview Road- asking about blasting and if so what if there is damage to other property? Mr. Westfall explained the process if that occurs.

Brian McCrae: North Greenbush Fire District- asking where the hydrants are and Mr. Hartt showed him on the map.

Mark Gageway: 16 Meadowlark Lane-also owns the property at the end of Meadowlark. His concern was setting back some of the new homes being set back. He looked at the map and is satisfied.

Marge Heffner: Meadowlark Lane-asking which ends there will be homes and Mr. Hartt stated there will be homes on both ends. She asked how they would stay away from wetlands. Mr. Hartt explained how that would work. If it always wet how can you put a home there. Mr. Hartt explained what they will do.

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Chairman read written comments from Anne Marie Strack. Her concerns were read into the record and her questions were answered. All her other questions were answered during the meeting.

There will be an HOA to take care of their roads per Mr. Hartt.

Motion made to close the Public Hearing by Mr. Wilson and seconded by Ms. Foley.

Motion made to table until April 24<sup>th</sup> by Mr. Wilson and seconded by Ms. Foley. All in favor.

**Presentations: None**

**Old Business/Tabled Discussion:**

- Referral from the Town Board for 128-130 Main Avenue, Wynantskill, NY 12198. This application was originally heard in January and referred to the town board for review because of the moratorium on the town law for multi-family units. Chairman read section 4 variance from this local law. Chairman Lacivita read a letter from Town Supervisor Bott to the board. He is asking for a referral from this board. Mr. Dingley refreshed the information for the board. 2 bldgs. Mixed use commercial on first floor and residential apartments on second floor. He is asking for a variance on the moratorium so he can build these (4250 sq feet and 2850 sq feet.). Up to a total of 5 commercial residents. Total footprint including the garages is 4250 and 2850 totaling 7100 sq feet which is more than the 5000 sq feet maximum. 2 lots with 2 separate structures. Not known if there will be ZBA variances needed. We are not looking at a site plan at this time we are looking at the moratorium variance at this time per Chairman Lacivita. Mr. Silverman stated what needs to be decided is whether a variance is warranted or any hardship is present. He also asked if it was necessary for the third residence in one of the buildings which would elevate a lot of this. Mr. Dingley stated it is necessary financially. Ms. Foley stated this is a good idea however, the way the buildings are set is not a good idea. The proposal is consistent with the design guidelines for a main avenue corridor and hamlet per Chairman Lacivita. We are looking at the current design as proposed per Chairman. Mr. Silverman stated this appears to be an extraordinary hardship if the total units can't be built. Per Chairman Lacivita the project cannot go forward without the proposed retail or apartments. Is this consistent with the hamlet guidelines? It appears that in the end this is only one apartment that is an issue.

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The project meets the hamlet guidelines per Chairman.

Chairman asked Mr. Silverman to draft a resolution for us to take action so they can give that to the town board.

Mr. Wilson and the board feels we should move forward with this. Ms. Foley, when the time comes, needs to see changes to the site plan.

Motion made to return a resolution crafted by counsel to the town board that states the PB feels this proposal is consistent with the Main Avenue hamlet guidelines and a hardship was presented. Such a project will improve the appearance of the Main Avenue corridor by Mr. Wilson and seconded by Mr. Kirk. All in favor.

- Business Meeting –
- **Action - The Site Plan Application of Rosetti Companies, 427 New Karner Road, Albany, NY 12205, for (2) 8 unit apartment buildings to be located adjacent to Ludlow Lane in a rezoned R4 district, having parcel ID#: 133.00-2.6.**

Conditions: Parking with signage, installation of fire lane and parking in designated spots only, storm water retention pond, review of FD letter, SHIPPO report needed, landscaping plan will be submitted with the final plan and approved by the BD.

Per Chairman short form questions were all answered and consistent with all.

Motion made for a neg dec by Mr. Kirk and seconded by Ms. Foley. All in favor.

Motion made to approve site plan with above conditions by Ms. Foley and seconded by Mr. Kirk. All in favor.

- Approval of last month's meeting minutes – motion made to approve February meeting minutes by Mr. Kirk and seconded by Mr. Wilson. All in favor.
- Motion to Adjourn at 7:50pm by Mr. Wilson and seconded by Ms. Foley. All in favor.
- Next meeting date: April 24, 2023

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 Planning Board page on the Town's website to view the application(s).**