

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
May 14, 2025

Attendance: Richard French (Chairman), Leanne Hanlon (Secretary), Eric Westfall (Building Department), Tony Crucetti, Louise Germinerio, Michael Masone, Raymond Hoffman-absent, Al Kolakowski (Legal Counsel).

Chairman French opened the meeting with the Pledge of Allegiance and roll call. Chairman French explained specifically areas variances and explained the special permit rules and what this board is charged with. He also explained zoning and that the town board sets zoning.

New Business:

- **Application 25-08, for the Area Variance Application of Mark Smith, 25 Highland Acres, Troy, NY 12180, for relief from side setback requirement of 10' for the purpose of constructing a 14' x 20' detached accessory structure 5' from the side property line at the property located at 25 Highland Acres, Troy, NY 12180, in an R1 district, having parcel ID#: 123.13-6-13.12.**

Mr. Smith explained his application. The back left is where he wishes to put the accessory building and to keep it away from the home as far as he can. The building is already built and is on a slab and 5 feet from the side property line instead of ten. A rendering was provided.

Public hearing opened:
No one wishing to speak.

Motion made to close the public hearing by Mr. Crucetti and Masone. All in favor.
No written public comment per Mr. Cioffi.

County: local consideration shall prevail per Mr. Cioffi.

Undesirable Change: No
Applicant can pursue: No.
Substantial: No
Environmental: No
Self Created: Yes but does not preclude

Type II SEQRA

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

- **Application 25-09, for the Special Permit request of Channon M. Moon, D.C., 102 Mammoth Spring Road, Wynantskill, NY 12198, to operate a part-time chiropractic/massage home occupation office within in accessory structure at the property located at 102 Mammoth Spring Road, Wynantskill, NY 12198, in an AR district, having parcel ID#: 146.-2-76.111.**

Ms. Moon explained her application to the board. She has been doing this for over 20 years. Her and her husband inherited the property and she would like to move her practice to this home. There is a structure

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on the property for this that they will modify. She is part time and will see less than 20 patients a week (4/day). There will be no need for on street parking per Ms. Moon.

Public Hearing opened:

No one wishing to speak.

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

No written comment per Mr. Cioffi.

County: local consideration shall prevail per Mr. Cioffi.

The BD will guide her as to what signage she can have per Chairman French.

Questions asked by Chairman French to the board and answered.

Motion made to approve as requested by Mr. Masone and seconded by Mr. Crucetti.

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

- **Application 25-10, for the Special Permit request of Rosetti Construction, LLC/Matthew Falvey, 427 New Karner Road, Albany, NY 12205, for the proposed 36-unit apartment building, roadway, parking lot on Valley View Blvd., Rensselaer, NY 12144, in an IG (Industrial) district, having parcel ID#'s: 133.-2-1.161 & 133.-2-1.19.**

Steve Hart-Hart Engineering representing the application. They are extending Stonegate. Same architect and people that built Stonegate per Mr. Hart. The name will be the same (Stonegate units). Per Mr. Hart he received conditional site plan approval with the Planning Board.

Public Hearing opened:

No one wishing to speak.

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

County: local consideration shall prevail per Mr. Cioffi.

SEQRA: All SEQRA questions were asked and answered by Board members.

Motion made for a neg dec by Mr. Crucetti and seconded by Ms. Germinerio.

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

Motion made to approve as requested by Mr. Masone and seconded by Mr. Crucetti.

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

- **Application 25-11, for the Area Variance request of Nguyen Muynm, 281 Winter Street Extension, Troy, NY 12180, for relief from constructing a detached accessory structure in the front yard and for relief from one parcel having more than two accessory structures at the property located at 281 Winter Street Extension, Troy, NY 12180, in an R1 district, having parcel ID#: 123.11-6-77.**

Mr. Muynm would like to put a garage in the front yard pf the property. It is unusually shaped. Garage, shed and greenhouse are planned for the property. There is currently a car port next to the home. Mr. Muynm

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stated that will not stay once the garage is built. Chairman asked why the garage has to go out front. Mr. Muynm stated the other side of the house there is no room. The other side has a lot of rock and there is a well in the back which does not permit it to be built there. Mr. Masone confirmed the property is narrow, rocky and hilly.

Public Hearing Opened:

No one wishing to speak.

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

County: local consideration shall prevail per Mr. Cioffi.

Undesirable Change: No

Applicant can pursue: No.

Substantial: No

Environmental: No

Self Created: Yes but does not preclude

Type II SEQRA

Motion made to approve by Mr. Crucetti and seconded by Mr. Masone.

Roll Call Vote: Masone, Crucetti, French, Germinerio. All in favor.

Old Business:

- **Application 25-06, for the special permit request of Cellco Partnership d/b/a Verizon Wireless, 1275 John Street, West Henrietta, NY 14586, for a proposed telecommunications facility at the property located at 4478 NY-43, Rensselaer, NY 12144, in a AR district, having parcel ID#: 145.-8-11.**

This is a continuation of the above application.

The applicant was asked to come back to give time for the board to review. There have been no changes since last month.

James Lavelle regional Counsel for Verizon spoke about the application and stated they want to install a cell tower facility on the site. The proposal is a 110 foot tower and extended to 114 with light on top. Tower, Foundation, Generator. 50x 50 foot fencing around tower. This includes a 12 foot access road. It is intended to improve cell coverage. There is a gap in that coverage area per Mr. Lavelle. Mr. Masone asked about intensity (RF safety report). Less than 1% of radiation frequency per Mr. Lavelle. Mr. Masone commented that it is so far off the beaten path. Chairman French stated these are becoming more and more expected because it is considered a Utility. In the plan there is also a statement about if the tower tips over what would it hit and nothing is in the way according to the plan.

Public Hearing Opened:

No one wishing to speak.

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

There was one correspondence that was received when this application was first before the board.

SEQRA:

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All questions were asked and answered by the board.

Motion made for a neg dec by Mr. Crucetti and seconded by Mr. Masone.

Roll Call Vote: Masone, Crucetti, French, Germinerio. All in favor.

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

Roll Call Vote: Masone, Crucetti, French, Germinerio. All in favor.

Motion made to approve April minutes by Mr. Masone and seconded by Mr. Crucetti.

Motion made to adjourn 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 at your earliest convenience or by 4:00 pm on the business day preceding the meeting; However, Please be aware that due to our server's spam monitoring process, some emails have a 1-2 day delay. 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.