

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street, Wynantskill, NY 12198
Meeting Minutes
June 11, 2025

Attendance: Richard French (Chairman), Leanne Hanlon (Secretary), Eric Westfall (Building Department), Tony Crucetti, Louise Germinerio, Michael Masone, Raymond Hoffman, 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 25-12, for the Special Permit request of Raymond Navarette, 21 Reynolds Road, Troy, NY 12180, to have chickens at the property located at 21 Reynolds Road, Troy, NY 12180, in a R1 district, having parcel ID#: 146.-2-76.111.**

Mr. Navarette spoke about his applications to have chickens on his property.

Chairman stated it looks as if he has plenty of room for this. Mr. Navarette wrote on his application, all he plans to do.

Conditions: No rooster, covered feed in rodent proof container, waste removal plan (compost), covered coop on top and all sides and bottom to keep animals from digging under, no more than 6 chickens, no free ranging.

Public Hearing Opened:

No one wishing to speak.

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

Type II SEQRA

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

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

- **Application 25-13, for the Area Variance request of Shawn DeCelle & Amy Peters, 148 North Greenbush Road, Troy, NY 12180, for relief from minimum lot size requirement of 20,000 SF, for the purpose of a boundary line adjustment between the properties located at 148 North Greenbush Road and 152 North Greenbush Road, Troy, NY 12180, in a BN district, having parcel ID#'s: 123.13-1-3 & 123.-1-9.**

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Mr. DeCelle spoke about his application. He submitted a map with his application. He explained how the land runs into 152. He is the owner of 148. This is an odd shaped lot. There is a shared wall that is falling down. Mr. DeCelle proposed that he take care of the lot that will be created by the line adjustment (fence repair, wall repair, trees, etc). H is trying to make it more uniform so he can take care of that piece. He is purchasing the part of property in question.

Chairman French noted that minimum lot size is 20,000 square feet. This would drop 152 to 9,600 square feet and increasing 148 by a lot per Chairman. This will create a non-conforming lot. Chairman French would like to hear something compelling from the applicant to explain why we would allow this. Chairman French stated that if we allow this the 9,600 square foot lot wouldn't even be able to put on an addition or even sell the lot.

Public Hearing Opened:
No one wishing to speak.

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

County: Per Mr. Cioffi local consideration shall prevail.

Mr. DeCelle asked if there is another way to work this so he doesn't create such a small lot. Chairman is willing to table this for the applicant to come back with other plans, or the board can vote. Chairman French made some other suggestions as to what Mr. DeCelle can do to redo the line adjustment.

Motion made to table so the applicant can re-think and make different plans by M. Crucetti and seconded by Mr. Hoffman. All in favor.

- **Application 25-14, for the Special Permit request of Donald M. Olthoff, 10 Tamarac Drive, Wynantskill, NY 12198, for the purpose of creating a caregiver dwelling unit in the existing basement at the property located at 10 Tamarac Drive, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 113.20-3-4.1.**

Mrs. Olthoff spoke about the application. She stated this is a single-family ranch style home. They are requesting to have their existing basement into an apartment for her daughter to be able to care for her husband. Chairman noted it is attached. Windows will be installed per Mrs. Olthoff. Chairman French stated the building department needs to look at this and work things out even if we approve this. Mrs. Olthoff stated she will do whatever she has to do.

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Public Hearing Opened:

No one wishing to speak.

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

Single family home with caregiver unit per Chairman.

Type II SEQRA

Motion made to approve with BD recommendations and requirements by Mr. Crucetti and seconded by Ms. Germinerio.

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

- **Application 25-15, for the Use Variance request of James Cross/170 4th Street, LLC, 516 Church Street, Wynantskill, NY 12198, for the purpose of converting a single-family dwelling to a two-family dwelling at the property located at 520 Church Street, Wynantskill, NY 12198, in an H district, having parcel ID#: 124.6-3-10.**

Mr. James Cross spoke about his application. He purchased the house next door and the home is in disrepair. He purchased in November 2024. In an agreement with the family the existing occupant will stay there. Making this a two family would allow some of the family and the existing occupant to stay there. It will need work. However, some of the home was already worked on with the intent to make it a two family. Mr. Cross stated the electrical was inspected in 2009 and there are two existing services with a second meter. There is a second porch and two entrances per Mr. Cross. Chairman stated that if there was a previous use variance it was a long time ago.

Can the applicant not realize a reasonable return with competent financial evidence.

Chairman read one of the requirements. He stated Mr. Cross has to look at everything that is required in a Hamlet and write why he cannot do that with the building.

Mr. Cioffi noted the home is pre-existing non-conforming. Mr. Cioffi noted it would have to be the second floor of the residence for 2 family.

Current occupant is the deceased owners son.

Mr. Masone asked if we could consider it a caretaker area?

Per Mr. Cross the current occupant would be moving to the back of the home once it is renovated. That part is not livable right now.

Public Hearing Opened:

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Mr. James Cross -516 Church Street : He stated the two family idea was already there and the home is a mess. It was already created as an apartment with two electrical services. Looking at it, it was assumed a two family per Mr. Cross. Per Mr. Cioffi if work was done in 2009 to make it a two family it was not documented with the town. Chairman stated that prior to 2009 there could have been an application to do this.

One written comment from Andrew Mair was received and read by Chairman French.

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

4 criteria for Use Variance:

- Can the applicant not realize a reasonable return by competent financial evidence?
- Is the alleged hardship unique?
- Will the use variance alter the essential character of the neighborhood?
- Is the alleged hardship self-created?

Chairman French suggested that Mr. Cross work with the BD to see if there is any evidence that there was a prior application before 2009 for this property.

Motion made to table the application to allow applicant to get information he needs by Mr. Masone and seconded by Mr. Crucetti.

- **Application 25-16, for the Special Permit request of Michael Curran, 640 Church Street, Wynantskill, NY 12198, for the purpose of exceeding the addition of greater than 150 cubic yards of fill at the property located at 640 Church Street, Wynantskill, NY 12198, in an AR district, having parcel ID#: 113.-3-21.**

Mr. Curran explained his application. He has a little over 2 acres would like. He would like to move the fill over to the other property line and create a berm because his neighbor informed him they are putting a roadway along is home. He wants to get it off his property.

Chairman French stated a lot of fill was accidentally put on the applicant's property. And also build a berm with some of this fill. The applicant provided an engineering plan for this berm to the board.

Restoring the neighbor's property to its original state is a civil matter per Mr. Kolakowski.

Public Hearing Opened:

Lisa Tedesco, 602 Church Street: She stated she is not putting in a road. She looked at the engineering plan that Chairman had. She also stated he put the fill there without a permit. She provided the Board with a map. She asked about the rules for a fence.

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Dave Willett: 170 Bloomingrove Drive: He spoke on the applicant's behalf. He said if the applicant thought that was not is property he would never have put it there. He is helping Mr. Curran to move this.

No written correspondence.

Per Mr. Cioffi local consideration shall prevail for county.

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

SEQRA:

All questions were asked and answered by board members.

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

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

Motion made to approve (including a berm) by Mr. Masone and seconded by Mr. Crucetti.

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

Motion made to approve May 2025 minutes by Mr. Masone and seconded by Mr. Crucetti.

Motion made to move the July meeting to July 16th by Mr. French and seconded by Mr. Masone.

Motion made to adjourn at 8:04pm by Mr. Hoffman and seconded by Mr. Masone.

Old Business: None

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.