

ZONING BOARD OF APPEALS
Town of North Greenbush
2 Douglas Street
Wynantskill, NY 12198
Meeting Minutes
April 10, 2019

Attendance: John Dalmata (Acting Chairman), Richard French (Chairman) absent, Leanne Hanlon (Secretary)-Absent, Michael Miner (Building Department) absent, Robert Ewing, Tony Crusetti, Louise Germinerio, Al Kolakowski (Legal Counsel).

Mr. Dalmata opened the meeting with the Pledge of Allegiance and roll call.

Old Business:

Application 19-02, for the use variance request/special permit request of Thomas Dingley, 190 Pershing Avenue, Wynantskill, NY 12198, for the purpose of allowing a care giver/care receiver dwelling unit, at the property located 190 Pershing Avenue, Wynantskill, NY 12198, in an R1 district, having parcel ID#: 135.10-2-16.

Mr. Dingley was present. Per Chairman Dalmata there are two requests: Area variance and special permit requests. Mr. Dingley was advised to stop and see Mr. Miner last month. There is no indication this was one so the board would have to postpone or deny application until Mr. Dingley meets with Mr. Miner and the Building department. He was advised again to do that however he requested the withdrawal of his application at this time. Per Chairman Dalmata the application is withdrawn.

New Business:

Application 19-05, for the area variance request of Anthony Saia, 111 Birch Street, Troy, NY 12180, for relief from relief from setback requirements of 20 ft. for the purpose of installing an in-ground swimming pool approximately 5 ft. from the rear property lines, at the property located at 111 Birch Street, Troy, NY 12180, in an R1 district, having parcel ID#: 123.17-4-26.

Mr. Saia described his request and explained the lot size. His lot goes into a point. He would like to put in a rectangle in ground pool. Mr. Dalmata asked if there was space between the patio and pool. Mr. Saia indicated there is not much space and he cannot push the pool back any further. No space toward the back near the point. Mr. Dalmata stated the distance between the property line – 50 feet to point, and the pool is going in front of the well.

Mr. Ewing's concern is discharge of the side. Mr. Saia stated he cannot because the well is there.

Public Hearing opened:

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Greg Blackburn, Troy, NY: He is not opposed to this.

Andrew Mair, Brinker Drive: He stated variance is 70% which exceeds the 50% rule for an in ground pool. Mr. Dalmata stated there are two concerns.

Motion made to close public hearing by Mr. Crusetti and seconded by Mr. Ewing.

Chairman Dalmata stated that under the circumstances this is not substantial given the layout of the property. Does not preclude.

Conditions: run off in front of home and discharge. No SEQRA needed.

Motion made to approve with above conditions by Mr. Ewing and seconded by Mr. Crusetti.

Roll Call Vote: Dalmata, Crusetti, Ewing, Germinerio. All in favor.

Application 19-06, for the special permit request of Markeith Mills, 300 Valley View Blvd, Rensselaer, NY 12144, for a Women and Children shelter, at the property located at 300 Valley View Blvd, Rensselaer, NY 12144, in an IG district, having parcel ID#: 133.-2-1.17.

Markeith Mills was not in attendance. Application was moved to last in case applicant came late. Applicant still not present however multiple people were there for the public hearing so the Chairman opened the public hearing.

Michael Stammel, Rensselaer: He stated he has no objection to this kind of facility however not in the location chosen. This is a high property value area and a facility like this could deteriorate the property values. He would like something there that would be put on the tax roll. He is concerned with security (women and children) could be hiding from someone. Strangers would be all around the neighborhood. There is no bus line nearby so these low to moderate income people can go to the market or shop or look for work, etc. Put something on the tax roll.

Dolores Todaro, 504 Cedar Run, Rensselaer: Brought a letter that was given to Chairman Dalmata for the file. She said she was employed there when it was a day care center. There are four doors to enter and exit and fences that can be opened and you can cut through them. There are also windows you can see through where there is clear observation. She also stated the North Greenbush Fire District needs a plan in place. There are no safety rules in place either. Afraid of robberies and domestic violence.

Margaret Van Dyke, 36 Falconse Circle: Her concerns are safety and are these temporary apartments? What kind of shelter is it? Concerned with security, safety and value of neighborhood. They have single family homes, condos and townhouses in that area. She feels that this would bring the value down. This is a secluded area and would bring violence and theft.

Kimberly Young, Cedar Drive: She is a retired Troy Police Officer. She is familiar with these type of units. There are always lots of issues. People off property trying to sell and do drugs.

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Not a good fit for the area proposed. There are people from different backgrounds and fights, etc. If domestic violence women's shelter they sometimes call their partners. This will bring down the property values. She is strongly against this.

Joe Boyt, 7 Nicholas Avenue: Concerns are property values, security, development increasing, better values, and sense of living. Need tax base. Need to bring taxes down.

Andrew Mair, Brinker Drive: Raising point of information-National Grid had meeting putting in 7 inch gas transmission line into East Greenbush running into DeFreestville close to Stonegate Road.

Kathy Meisor, Rensselaer: Do we know what kind of shelter it is? Security concerns.

Nancy Todaro quoted something from website

Application 19-07, for the special permit request of Stacey & Anthony Cahill, 495 NY Rt 355, Wynantskill, NY 12198, for the purpose of allowing a care giver/care receiver dwelling unit AND the area variance request of Stacey & Anthony Cahill, for relief from side setbacks of 20 ft., for the purpose of allowing a 15 ft. side setback and relief from front setback requirements of 35 ft., for the purpose of allowing a front setback of 30 ft., at the property located at 7 Kimberly Circle, Troy, NY 121802, in an R1 district, having parcel ID#: 123.7-2-7.76.

Kristen Casper and Cathy appeared on behalf of the applicant. Ms. Casper explained the request. This is a new construction. A small portion of the lot encroaches so the request is to put the house straight so it faces Kimberly Square. Not a substantial request. The apartment would be 735 square feet, single family dwelling. The apartment is one bedroom and the entrance is on the side and one through the garage where it comes into mudroom which is shared by the apartment and main home as well as entrance to the basement. One owner and the apartment is for the couple's mother. Water and sewer are shared. There is one set of stairs to the basement. One floor dwelling.

Public Hearing opened:

Andrew Mair, Brinker Drive: Asked is Mr. Miner in the Building Department reviewed and approved the application? Mr. Dalmata stated yes.

Motion made to close public hearing by Mr. Crusetti and seconded by Ms. Germinerio. Type II SEQRA w/ neg dec. Motion made for a neg dec by Mr. Ewing and seconded by Mr. Crusetti.

Per Mr. Dalmata there appears to be no issues with the area variance or the special permit. This is a new construction.

Motion made to approve by Mr. Crusetti and seconded by Mr. Ewing.

Roll call vote: Ewing, Crusetti, Dalmata, Germinerio. All in favor.

Motion made to adjourn by Mr. Crusetti and seconded by Mr. Ewing.