

Zoning Board of Appeals

TOWN OF BRUNSWICK

336 Town Office Road

Troy, New York 12180

MINUTES OF THE BRUNSWICK ZONING BOARD OF APPEALS REGULAR MEETING HELD SEPTEMBER 21, 2026

PRESENT were ANN CLEMENTE, CHAIRPERSON, PATRICIA CURRAN, E. JOHN SCHMIDT, DARYL LOCKROW and MATTHEW GRAB.

ALSO PRESENT were WENDY KNEER, Brunswick Building Department, and CHRISTOPHER LANGLOIS, ESQ., Attorney to the Zoning Board of Appeals.

Chairperson Clemente reviewed the agenda for the meeting, as posted on the Town sign board and Town website.

The draft minutes of the August 17, 2026 regular meeting were reviewed. There were no edits or corrections to be made. Chairperson Clemente made a motion to approve the minutes of the August 17, 2026 regular meeting without correction, which was seconded by Member Curran. The motion was unanimously approved and the minutes of the August 17, 2026 regular meeting were approved.

The first item of business on the agenda was a public hearing concerning an area variance application submitted by Andrew Sheddon for property located at 105 Old Siek Road. Andrew Shedden was present to review the application. The Notice of Public Hearing was read into the record by Attorney Langlois, noting that the Notice of Public Hearing was published in the Troy Record, placed on the Town sign board, posted on the Town website, and mailed to the owners of all properties located within 300 feet of the project site. Chairperson Clemente asked Mr. Sheddon to briefly review the project and if there had been any changes to the application since the last

meeting. Mr. Sheddon stated that there had been no changes to the application since the last meeting. Mr. Sheddon stated that he was proposing to build a 10-foot by 14-foot greenhouse on his property near an existing garden, and that the proposed location was closer to Old Siek Road than his house, meaning that an area variance for having an accessory structure in front of a primary structure was required. Mr. Sheddon also stated that the area proposed for the greenhouse was more than 200 feet from the road, and that his property was well screened by trees. Chairperson Clemente opened the public hearing on the application. There were no public comments on the application. There were no questions or comments from the Zoning Board members. Chairperson Clemente made a motion to close the public hearing, which was seconded by Member Curran. The motion was unanimously approved and the public hearing was closed. Chairperson Clemente stated that the project was a Type II action under SEQRA, which does not require any further SEQRA review. Chairperson Clemente stated that the Town had received a letter from the Rensselaer County Bureau of Economic Development and Planning stating that the project would not have a major impact on County plans and that local consideration shall prevail. The Zoning Board then reviewed the elements for consideration on the area variance requested in the application. As to whether the requested variance would result in an undesirable change in the character of the neighborhood or create a detriment to nearby properties, Chairperson Clemente stated that the proposed greenhouse would be more than 200 feet from the front property line, that there would be many trees between the greenhouse and the road to provide screening, and that there would be no change at all to the neighborhood due to the greenhouse. As to whether a feasible alternative was available, Chairperson Clemente stated that the greenhouse was proposed for a flat area on the property near an existing garden, and that the applicant wanted to use the greenhouse in conjunction with the garden, so there was no feasible alternative. As to whether the requested

variance was substantial, Chairperson Clemente stated that the project site was an approximately 26-acre parcel in an A-40 agricultural zoning district, that the greenhouse was proposed to be more than 200 feet from the road, and that it would not be substantial. As to whether the variance would create an adverse environmental impact, Chairperson Clemente stated that a short Environmental Assessment Form (EAF) had been submitted with the application, which stated that there would be no adverse effects to noise, odor, or any other environmental factors. As to whether the difficulty giving rise to the need for the variance was self-created, Chairperson Clemente stated that it was. Chairperson Clemente stated that the Zoning Board needed to balance the benefit to the applicant with any potential detriments to the surrounding neighborhood. Member Curran made a motion to grant the area variance, which was seconded by Member Lockrow. The motion was unanimously approved and the area variance was granted. Chairperson Clemente directed Mr. Sheddon to continue working with the Town Building Department on this matter.

The Zoning Board discussed one item of new business.

The one item of new business was an area variance application submitted by Gayle Hinsdill for property located at 24 Prout Avenue. Gayle Hinsdill was present to review the application. Ms. Hinsdill stated that all lots in her neighborhood were less than 9,000 square feet, which was less than the minimum square footage required for a lot, meaning that her lot was an existing nonconforming lot, and that she required an area variance to alter the size of a nonconforming lot. Ms. Hinsdill stated that there was a retaining wall between her and her adjacent neighbor's property which had required significant maintenance work to be done on it almost every year for several years. Ms. Hinsdill stated that her neighbor had volunteered to take over maintenance of the wall and that she sought to transfer the land the wall sat on, totaling 112 square feet, to him for that purpose. Ms. Hinsdill also stated that she and her neighbor were in agreement on the transfer of

that land, and that she had had a new survey done reflecting that proposed lot line adjustment. Chairperson Clemente asked who built the wall initially. Ms. Hinsdill stated that her neighbor had hired the contractor that built the wall, that the wall had fallen over onto her property during construction, and that a new separate wall had been built over where the first wall had fallen. Chairperson Clemente asked what the wall was made of. Ms. Hinsdill stated that the wall was made of concrete. Chairperson Clemente asked Ms. Hinsdill if her neighbor had agreed to the lot line adjustment in writing. Ms. Hinsdill stated that an attorney had drafted a legal agreement for her to sell the 112 square feet of land to her neighbor, but her neighbor had not yet signed it, and that he had only agreed to buy the 112 square feet of land verbally at that point. Chairperson Clemente asked what the current state of the wall was. Ms. Hinsdill stated that the wall itself was currently in good condition, but that the backfill behind it needed some work. Ms. Kneer stated that the Building Department would request a letter from Ms. Hinsdill's neighbor consenting to the lot line adjustment when she later went before the Planning Board for a waiver of subdivision, if the Zoning Board granted the area variance. Attorney Langlois explained the code compliance issue currently before Ms. Hinsdill, stating that while she intended to apply for a waiver of subdivision for a lot line adjustment from the Planning Board, the Planning Board could not grant such a waiver for a noncompliant lot, so Ms. Hinsdill was before the Zoning Board first for the area variance for altering the size of a nonconforming lot and would go to the Planning Board for a waiver of subdivision if the area variance was granted. Chairperson Clemente asked Ms. Hinsdill what she would do if the Zoning Board did not grant the area variance. Ms. Hinsdill stated that she would have to keep maintaining the retaining wall herself and that the next owner of her property would either have to also maintain it or take it down. Member Curran asked why the first retaining wall was built. Ms. Hinsdill stated that her lot was lower in elevation than her neighbor's and the

wall was to protect her lot. Attorney Langlois asked to confirm that the first wall was built entirely on Ms. Hinsdill's neighbor's property, that the first wall fell over, and that a separate second wall was built entirely on Ms. Hinsdill's property. Attorney Langlois also asked to confirm that the wall was legally the neighbor's responsibility and the lot line adjustment was to place the wall, which was the neighbor's responsibility, back on his property. Ms. Hinsdill confirmed that everything Attorney Langlois had stated was correct. Chairperson Clemente asked if the Zoning Board members had permission to visit the site, and Ms. Hinsdill confirmed that they did. Member Schmidt asked what the easiest way to see the retaining wall was. Ms. Hinsdill said it was easiest to see from Prout Avenue. Member Schmidt asked if the wall could be seen from the road, and Ms. Hinsdill confirmed that it could be. A public hearing on this application was scheduled for October 19, 2026 at 6:00pm.

There was no old business to discuss.

The index for the September 21, 2026 regular meeting is as follows:

1. Sheddon – area variance (approved).
2. Hinsdill – area variance (October 19, 2026).

The proposed agenda for the October 19, 2026 regular meeting is as follows:

1. Hinsdill – area variance (public hearing to commence at 6:00pm).