



Village of Colonie

VILLAGE HALL
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JAMES M. RUBINO
MAYOR

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DRAFT MINUTES **WEDNESDAY, OCTOBER 1, 2025** **6:30 PM**

FRANK A. PREVRATIL
DEPUTY MAYOR

PATTY SCHWARZ LOCKART
TRUSTEE

JASON M DEPAULO
TRUSTEE

MARK P STEVENS
TRUSTEE

JAMIE BLOT
CLERK

The scheduled meeting of the Village of Colonie Zoning Board of Appeals was held on Wednesday, October 01, 2025, at 6:30PM.

The meeting was called to order by Chairman Minissale at 6:30 p.m. with a salute to the flag. Chairman Minissale requested that all electronic devices be silenced.

ROLL CALL:

Chairman:	Phil Minissale
Members:	Trevor Normandin Joshua Rowinski Christopher Larrabee Les Decker
Liaison:	Jason DePaulo
Alternate:	Ginny Ritz
Counsel:	Victor Caponera

The minutes from the Zoning Board of Appeals meeting on February 5th, 2025, were reviewed. Commissioner Normandin made a motion to approve the minutes. Commissioner Larrabee seconded the motion.

VOTE: Unanimous to approve the minutes.

12 Tanglewood Rd
Davina Resciniti
Area Variance

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Mrs. Davina Resciniti of 12 Tanglewood Rd is present and looking for an area variance for a fence recently installed. The fence was put up after a new pool was installed in the side yard. The fence was installed by her future son-in-law, who is a contractor. Mrs. Resciniti stated that she submitted her fence permit with a drawing showing where the fence would be. There was an error or miscommunication installing the fence and it came past the front of the house. She is hoping to get a variance, so she does not need to spend more money to move the fence. Moving the fence would also put it very close to the pool.

Mrs. Resciniti added that she had also received letters of support from a few of her neighbors.

Attorney Caponera acknowledged the letters of support from the neighbors at 10 Tanglewood Rd, 1 and 2 Huckleberry Ln.

Commissioner Decker stated that he drives by the home every day while on his bus route and the fence does not seem that close to the road.

Commissioner Rowinski asked if permits were filed and pictures were sent with the permit application?

Mrs. Resciniti and the contractor, Mr. Anthony Vooris confirmed that they did have a permit, and you draw where the fence will be on the back of the application. Mr. Vooris stated it was a mistake, by the time the building department came to inspect the fence was almost complete.

Commissioner Larrabee asked Commissioner Decker if he thinks the fence creates blind spots. Commissioner Decker answered that it does not block any views for driving or create blind spots.

Mr. Vooris added that the fence is about twelve feet from the road.

Attorney Caponera mentioned that per Village code any fence that goes past the front of the home cannot be more than four feet tall. If more than four feet tall then a variance is required. Three letters of support from neighbors that live closest to Mrs. Resciniti have been received.

Attorney Caponera advised that requesting an area variance is a balancing test, where the Board must consider the benefit to the applicant against any detriment to the surrounding properties.

Attorney Caponera also added that there are elements the Board must consider before they decide on the Area Variance.

- Will the existing fence have an undesirable effect on the neighbors?
 - The board stated – No

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- Is there any way to obviate the need and to not need a variance?
 - Yes, the fence could be taken down to a four-foot fence but would be costly.
- Is the requested variance substantial?
 - Courts say each case is individually looked at and the Board can decide. What is or is not substantial The Board stated it is not substantial.
- Is there any adverse effect on the environment. The Board stated none.
- Is this a self-created hardship?
 - In this situation, yes, but with an area variance a self-created hardship does not prevent the granting of the area variance but is a factor that the Board may consider.

Commissioner Rowinski stated that this is an unlisted SEQRA action, and therefore, no further environmental review is necessary at this time.

Chairman Minissale made a motion to approve the area variance for a six-foot fence at 12 Tanglewood Rd. Commissioner Larrabee seconded the motion.

VOTE:	Chairman Minissale	YES
	Commissioner Rowinski	YES
	Commissioner Normandin	YES
	Commissioner Larrabee	YES
	Commissioner Decker	YES
	Commissioner Ritz	YES

Commissioner Decker made a motion to adjourn the meeting at 6:45PM. Commissioner Normandin seconded the motion.

Respectfully submitted,

Stacie Douglas
Zoning Board of Appeals Coordinator