



**Town of North Greenbush
Special Meeting
MINUTES
JUNE 30, 2026
6:30 p.m.**

Supervisor Bott called the Special meeting to order at 6:37 P.M. and led those present in the Pledge of Allegiance. Supervisor Bott asked the Town Clerk, Janice Hannigan Kerwin, to do a roll call. The following Board Members were present.

Supervisor Bott	<u>Present</u>
Councilwoman Hoffman	<u>Present</u>
Councilman Sabo	<u>Present</u>
Councilwoman Merola	<u>ABSENT</u>
Councilman Gordon	<u>ABSENT</u>

Also present at meeting:

Town Clerk, Janice Hannigan Kerwin

Town Attorney, Nia Cholakis

Open Forum Discussion on 50 North Greenbush Road
PDD between Stacey Way and Beverly Rose Way
Neighbors

Town Board Public Forum Discussion:

Town Supervisor: Good evening, everyone. Tonight's public forum concerns the Planned Development District and concerns raised by neighboring homeowners regarding rental properties within the development. We ask everyone to remain respectful so all viewpoints can be heard.



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Presentation:

A sign-in sheet for those present and interested in speaking during the meeting is included in the town's permanent records. Two letters are also included in the permanent records from the meeting.

Cosmo Marfione, PE. Managing Partner and Colton Hill from The BDC Group were the presenters of the enhancements that BDC Group will attempt to do in good faith for the situation that has occurred for the neighborhood and answered all the questions and concerns presented by the Stacey Way people. Colton Hill had several large area pictures of the items they would like to start to enhance the area neighborhood and the road's safety concerns that he will address for both neighborhoods.

Neighbors: Several neighbors stated that: When the Planned Development District was approved, we understood that the homes would be owner occupied. That was one of the reasons many of us supported the project. Instead, many of these homes are being rented. We feel the original agreement has not been honored. This isn't about disliking renters. It's about following the rules that were established. The PDD clearly states the homes were intended to be owner occupied. If those rules can simply be ignored, then what is the purpose of having a Planned Development District?

Developer: I understand the neighbors' concerns. However, I relied on guidance provided by the Town. Before renting the homes, I discussed the matter with Town officials and was informed that rentals would be permitted. I invested substantial resources based on that understanding. I acted in good faith and did not intentionally violate the PDD.



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Neighbor: We appreciate that you relied on what you were told, but the mistake should not permanently change the neighborhood. We purchased our homes believing we would be living next to owner-occupied residences, not long-term rentals.

Town Attorney: After reviewing the matter, it became clear that the original Planned Development District does require owner occupancy. Unfortunately, the Town incorrectly advised the developer that rentals would be allowed. Because the developer relied on that advice and made financial decisions based upon it, the Town determined it would be unfair to require an immediate end to the rentals.

The Town Board has therefore established a transition period. Existing rentals may continue temporarily, but by the year 2028, the rental activity must end, and the homes must be sold as owner-occupied residences in accordance with the PDD requirements.

Neighbor: While we appreciate that there is now a deadline, we are disappointed that it has taken this long. Our neighborhood has lived with uncertainty for years. We want assurances that the 2028 deadline will actually be enforced.

Town Board: The Board understands those concerns. The transition period was intended to balance two important issues: enforcing the Planned Development District while recognizing the developer's reliance on incorrect information provided by the Town. The 2028 deadline is intended to restore compliance with the original requirements.

Council Member: Asked whether the developer has made a genuine effort to sell these units rather than lease them. The Planned Development District was approved with the understanding that these homes would be owner-occupied. Can you tell us what marketing efforts have been made to attract buyers? Have the units



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been listed for sale, advertised through licensed real estate agents, or offered at prices consistent with the local market?

Developer: Colton stated that we got the letter from the Building Inspector, he said, that the Building Inspector had the legal authority to issue such a letter and when we built the units we spoke with a broker and based on the cost to construct and the then market rate, they decided not to market them for sale because of the increased cost of construction.

Council Member: We understand there were circumstances that led to the Town allowing leasing on a temporary basis. However, that approval was never intended to permanently change the owner-occupied nature of the development. As we approach the 2028 deadline, the Council would like to know what specific steps are being taken to transition these units from rentals to owner-occupied homes in accordance with the Planned Development District requirements.

Neighbors: Sean Murray started shouting.... We want owner-occupied!! Jon Lapper added, stop bullying us!!!

Developer: Cosmo Marfione, PE. Managing Partner stated that he thinks, based on his litigation attorney's advice, that they will win the case and overturn the owner-occupied requirement.

Neighbor: We hope the Town follows through. We simply want the development to become what was originally promised when it was approved. We too have an attorney and will follow through if the PDD is not followed.

Developer: Cosmo Marifione stated he has received information on the advice of Legal counsel that they have a strong case.



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Neighbor: When Sean Murray asked Nia Cholakis, Town Attorney, a question she stated that she will not answer the question based on the pending or threatened litigation from both sides.

Town Supervisor: Thank you to everyone who spoke this evening. The Board has heard the concerns from residents and the developer. We appreciate everyone's participation and respectful discussion

Adjournment:

Supervisor Bott made a motion for adjournment from the Special meeting, seconded by **Councilperson Sabo**. All members present voted Aye; motion carried. Meeting was closed at 8:20 p.m.

**A COMPLETE ACCOUNTING OF ALL
DISCUSSIONS ON THE AGENDA IS AVAILABLE
TO REVIEW VIA STREAMING ON THE TOWN'S
WEBSITE @ THE FOLLOWING ADDRESS:**

www.northgreenbush.gov

Respectfully Submitted,
Janice Hannigan Kerwin
Town Clerk, Town of North Greenbush