

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

TOWN HALL, 225 COLUMBIA TURNPIKE, RENSSELAER, NY 12144 (518) 694-4011 FAX (518)477-2386

MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES OCTOBER 26, 2021

Members

Jeff Pangburn, Chairman
Bob Seward III
Scot Strevell

Also Present:

William Hessney, Attorney
Alison Lovely, Zoning Board Secretary
Kateri Rhatigan, Stenographer

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Pangburn called the meeting to order and determined a quorum of three (3) members were present. Tom Hickey & Matt Ostiguy were both absent.

PUBLIC HEARINGS:

ZBA Appeal #2021-12-Kline – 596 Columbia Turnpike- Area Variance-Sign

Chairman Pangburn referenced the following as being in the record:

- Legal Notice-was read above
- Rensselaer County Recommendation
- Planning Board Member report & recommendation by Ralph Viola
- ZBA Application, Authorization Form, Short EAF, Denial, Area Variance Criteria
- Bldg. Permit Application

Andrew Kline who is the owner of Blood Moon Tattoo presented his proposal to the Board. He stated that he'd like to install a sign on the fascia of the building which extends above the roof line. He read the five Area Variance criteria to the Board.

Chairman Pangburn asked if the rest of the sign meets all the requirements for size & also that the applicant stated that the sign will be 18"-20" above the roof line, that's no higher than the neighboring sign. Andrew Kline stated that it meets the requirements and also stated that the height isn't bigger than the other sign.

Chairman Pangburn asked the Board if anyone had any questions.

•Bob Seward III asked if the sign will be illuminated. Andrew Kline stated that it will be back lit and the sign is black & white.

•Scot Strevell asked if the applicant stated it would be back lit. Andrew Kline stated that is correct. Chairman Pangburn asked for clarity it will be internally lit and will only shine forward and not shine out the back. Andrew Kline stated that was correct.

Chairman Pangburn asked the applicant if he had any dimensions of the fascia. Andrew Kline stated that he did not but that it's less than two feet.

Chairman Pangburn asked the Board if there was anything else from the Board. There were no more questions by the Board.

Chairman Pangburn asked if anyone in the public wished to speak.

-Dave Terpening commended the applicant for coming forward and doing the right thing as some other businesses in the Town do not. Dave Terpening asked if notification was sent out to nearby neighborhoods, etc. Chairman Pangburn stated that anyone within 200' of the subject parcel. Dave Terpening stated that there is a problem with the Nixle system as it goes right to spam, and wondered if anyone else has that issue. Dave Terpening asked if the Question #3 where the applicant answered if it was substantial and wanted clarification what that response meant. The applicant responded to Mr. Terpening.

Chairman Pangburn asked if there was anything else. There was nothing.

Motion by Scot Strevell to close the public hearing. Seconded by Bob Seward III. Motion carried by a 3-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2021-12-Kline – 596 Columbia Turnpike- Area Variance-Sign

This is a type II Action-there is no further action necessary.

WORKSHOPS:

ZBA Appeal #2021-12-Kline – 596 Columbia Turnpike- Area Variance-Sign

Resolved, That the Board of Appeals makes the following findings of fact:

1. There will not be an undesirable change produced in the character of the neighborhood or detriment to nearby properties as similar signs already exist on the building and adjacent businesses. Only businesses and people driving by will be able to see the sign because it's facing inwards in the plaza.
2. There is no other methods available to the applicant as the applicant is attempting to stay consistent or similar too surrounding businesses and not obstruct his store front.
3. The requested variance is not substantial, the applicant is looking to be 18" to 20" above the roofline and the sign that will be mounted is within the zoning requirements of the Town. The sign will be no higher than the neighboring sign.
4. The proposed variance will not have an adverse impact on the physical or environment conditions of the neighborhood as the sign will be internally lit, facing inward to the plaza and will not interfere will local traffic or the environment. It's a black & white sign, internally lit and it will shine forward.
5. The alleged difficulty was self-created, when the tree was removed, allowing for the opportunity to advertise; but shall not necessarily preclude the granting of the area variance.

Resolved, that the application for the installation of a façade mounted sign on fascia above the roof line be GRANTED with no conditions.

This resolution was moved by Scot Strevell and seconded by Bob Seward III at a meeting duly held on October 26, 2021.

(Discussion)

A vote was taken as follows:

Tom Hickey	<u>Absent</u>
Matt Ostiguy	<u>Absent</u>
Jeff Pangburn	<u>Yes</u>
Bob Seward III	<u>Yes</u>
Scot Strevell	<u>Yes</u>

Motion carried 3-0

NEXT MEETING: The next scheduled meeting is November 9, 2021 and is cancelled.

APPROVAL OF MINUTES:

Motion by Chairman Pangburn to approve the September 14, 2021 meeting minutes. Seconded by Bob Seward III. Motion carried by a 3-0 vote.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Scot Strevell. Seconded by Bob Seward III. Motion Carried by a 3-0 vote.

Respectfully Submitted

Alison Lovely
Alison Lovely, ZBA Secretary