

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES January 23, 2018

Members

Jeff Pangburn, Chairman
John Conway, Jr.
Scot Strevell
Dan Smith

Also Present:

George Hoffman, Attorney
Donna Moran, Stenographer
Alison Lovely, ZBA Secretary
Adam Yagelski, Director of Planning & Zoning

CALL TO ORDER / DETERMINATION OF QUORUM

Chairman Pangburn called the meeting to order and determined a quorum of four (4) members were present. Introductions were made. Matt Ostiguy & Bob Seward the II was absent. There is a new member Dan Smith.

NEW BUSINESS:

PUBLIC HEARINGS:

ZBA Appeal #2017-21– Nigro Companies/Pet Supplies Plus-501 Columbia Turnpike-Area Variance for proposal to install wall mounted sign larger than allowed.

The following was read and/or referenced as being in the file.

- Legal Notice – Chairman Pangburn noted that the Legal Notice incorrectly stated the size of the proposed sign as 150 sf when the request is actually 110.9 sf.
- Rensselaer County Recommendation
- ZBA Application, Short EAF, Denial, Area Variance Criteria
- Bldg. Permit Application
- Supplement report only by Matt Polsinello

Tom Wheeler from AJ Signs was present to present the proposal to the Board. Tom Wheeler stated that it's important that they have "grooming/dog washing" on their sign as it's a big part of the company's business. The parking lot is large and the setback from the road is significant.

- Chairman Pangburn asked if both sets of lettering will have back lights and what the size of the Peebles sign was. Tom Wheeler stated the signs would be internally lite and that the Peebles sign was approximately 33 inches. Chairman Pangburn asked if there were any questions from the Board.
- John Conway Jr. asked which sign was 33 inches. Tom Wheeler stated that the "Pet Supplies Plus" sign and the dog washing/grooming is approximately 13 3/4 inches.
- Chairman Pangburn asked if the signs will fit in box for sign and if there is vacant retail space to the left and right. Tom Wheeler stated that they are just going up against the façade. Steve Powers from Nigro stated that the business is right next to Peebles and takes up two tenant spaces and then there is an open tenant space closer to Market 32.
- Chairman Pangburn asked if the sign faces the parking lot & if the parcel it faces is commercial. Tom Wheeler stated that the sign faces the parking lot and there is a farm house for sale on the parcel that the business faces.

- John Conway Jr. asked if the building frontage is 90 feet & if there are plaza standards for signs. Steve Powers stated that Pet Supplies Plus is approximately 7,500 square feet of space and currently there are no standards at this time. Currently the plaza signs are boxed signs but as tenants change they are moving to letter signs.
 - Chairman Pangburn asked when Market 32 came in what variances were required. Steve Powers stated that the variances were for the numbers of signs.
 - Scot Strevell asked if the sign will fit the box that's on the façade. Tom Wheeler stated that yes it will.
 - Chairman Pangburn asked if the Pet Supplies sign was on its own if it would meet the requirement. Tom Wheeler stated that yes it would.
- Chairman Pangburn asked if there were any other questions. There were none.

Chairman Pangburn asked if anyone was present to speak in favor or opposition.

- Carrie Gibeault from Pet Supplies Plus spoke and stated that it's very important for them to be able to have the two smaller signs as it sets them out.
- John Conway Jr. asked if this business was a chain. Carrie stated yes it is, the name and services they offer are on every sign.

Motion by Scot Strevell to close the public hearing. Seconded by John Conway Jr.
Motion carried by a 4-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2017-21– Nigro Companies/Pet Supplies Plus-501 Columbia Turnpike-Area Variance for proposal to install wall mounted sign larger than allowed.

MOTION by Chairman Pangburn for **Zoning Board of Appeals to Declare SEQR Lead Agency**; in regards to Appeal #2017 -21 Nigro Companies – 501 Columbia Turnpike - Application for an Area Variance, the Zoning Board of Appeals has determined that this is an Unlisted is progressing an uncoordinated review under SEQRA, and declares itself the Lead Agency.

End of Motion

Second By: John Conway Jr.; any discussion?

Voice vote as follows:

In favor:	<u>4</u>
Oppose:	<u>0</u>
Abstain:	<u>0</u>

Motion Carries 4-0

MOTION by Chairman Pangburn: In regards to Appeal #2017 -21 Nigro Companies – 501 Columbia Turnpike, the Town of East Greenbush Zoning Board of Appeals hereby determines, based on the information and analysis submitted for Part 1 of the Short Environmental Assessment Form and other materials submitted by the project sponsor, or otherwise available to the reviewers, and after careful review of Part 2 – Impact Assessment, that the proposed action will not result in any significant adverse environmental impacts.

Second By: Scot Strevell; any discussion?

Voice vote as follows:

In favor:	<u>4</u>
Oppose:	<u>0</u>
Abstain:	<u>0</u>

Motion Carries 4-0

WORKSHOPS:

ZBA Appeal #2017-21– Nigro Companies/Pet Supplies Plus-501 Columbia Turnpike-Area Variance for proposal to install wall mounted sign larger than allowed.

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

1. There will not be an undesirable change in the character of the neighborhood as the subject sign is located within a retail plaza and the subject sign faces the interior of the plaza itself.
2. There is no other method available to the applicant as the number of letters and the main sign drives the overall square footage to be less than allowed by code however the taglines advertising services do exceed it.
3. The requested variance is not substantial as the overall title sign for the company name meets the code requirements and the tag letters which are smaller exceed the code by only 20%.
4. The proposed variance will not have an adverse effect on the neighborhood as it is consistent with the overall plaza design.
5. The alleged difficulty is self-created; however, that shall not necessarily preclude the granting of the area variance.

Resolved, that the application for an Area Variance for the installation of a façade mounted channel letter signs totaling 110.9 s.f. be GRANTED with no conditions.

This resolution was moved by Jeff Pangburn and seconded by John Conway Jr. at a meeting duly held on January 23, 2018.

(Discussion)

A vote was taken as follows:

John Conway	<u>Yes</u>
Matt Ostiguy	<u>Absent</u>
Jeff Pangburn	<u>Yes</u>
Bob Seward III	<u>Absent</u>
Dan Smith	<u>Yes</u>
Scot Strevell	<u>Yes</u>

Motion carried 4-0

NEXT MEETING: The meeting previously scheduled for February 13, 2018 is cancelled. The next meeting is February 27, 2018.

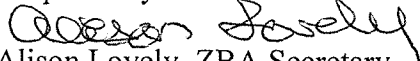
APPROVAL OF MINUTES:

Approval of the September 12, 2017 & January 9, 2018 meeting minutes postponed due to quorum issues.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Scot Strevell. Seconded by John Conway Jr. Motion Carried by a 4-0 vote.

Respectfully Submitted


Alison Lovely, ZBA Secretary