

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 MAY 14, 2019

Members

Jeff Pangburn, Chairman
Matt Ostiguy
John Conway, Jr.
Scot Strevell
Tom Hickey
Dan Smith

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 six (6) members were present. Bob Seward III was absent. Introductions were made.

PUBLIC HEARINGS:

ZBA Appeal #2019-05– Petrone-1264 Best Road–3 Area Variances: Applicant proposes the construction two additions: (1) 32' x 16'; (2) 44' x 24' and a 14' x 32' carport on the north side of the home.

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

- Legal Notice
- Rensselaer County Recommendation
- ZBA Application, Short EAF, Denial, Area Variance Criteria
- Bldg. Permit Application & Authorization Form
- Planning Board Recommendation with supplemental report by Ralph Viola

Wesley Petrone stated that his existing home was built in the 1900's and he needs two additions. The first addition would be a master suite and the second addition would be a kitchen. He is also proposing a carport as there is no garage. The property consists of 80 acres and the house was built 50' from the property line. Wesley stated the house was built on the properties "sweet" spot.

- Chairman Pangburn asked if it is on a plateau. Wesley Petrone stated that yes it's a little bit of a rise. The driveway is ½ mile long and the property is surrounded by trees.
- Chairman Pangburn asked if the sketch shows a gravel road. Wesley Petrone stated that it's an easement through the Nittingers property to get to his property.
- Chairman Pangburn asked how long he owned it. Wesley Petrone stated he bought it in September of 2018.
- Chairman Pangburn asked if there is a reason why the carport cannot go up on the other side of the house. Wesley Petrone stated that it's going in the rear, off the driveway.
- Matt Ostiguy asked how far the closest neighbor was. Wesley Petrone stated approximately 2,000 feet.

•Tom Hickey stated that he is struggling with the layout and asked Wesley Petrone to show him on a map where the carport is going. Wesley Petrone showed Tom on the drawing he had where the turnaround was, that the kitchen is close to the house and the carport will be to the left of that and the bedroom suite will be located on the east side of the house.

•Tom Hickey asked if there was any way to make the addition conform. Wesley Petrone stated that he wants to keep the line of the house straight. (Aesthetics)

Chairman Pangburn asked if there was anything else from the Board.

Chairman Pangburn asked if there was anyone present who wanted to speak.

•A resident spoke and stated that her and her brother own the 160 acres that surround the applicant. She wanted to know if this would affect any future ability to develop her and her brothers property. Chairman Pangburn stated that this would not affect their property.

Chairman Pangburn asked the Board if there was anyone had any questions. There was none.

Chairman Pangburn asked the applicant if there was anything else from the applicant. There was nothing.

Motion by Scott Strevell to close the public hearing.

Seconded by Tom Hickey. Motion carried by a 6-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2019-05– Petrone-1264 Best Road–3 Area Variances: Applicant proposes the construction two additions: (1) 32' x 16'; (2) 44' x 24' and a 14' x 32' carport on the north side of the home.

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

WORKSHOP: ZBA Members deliberated on the appeal.

ZBA Appeal #2019-05– Petrone-1264 Best Road–3 Area Variances: Applicant proposes the construction two additions: (1) 32' x 16'; (2) 44' x 24' and a 14' x 32' carport on the north side of the home.

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 it's a ½ mile or 2,000 plus feet to the nearest neighbor.
2. There is no other method available to the applicant as the house sits on a plateau (or property sweet spot as the applicant stated) on the property and adding to the existing home, the applicant wants to keep a common or simple roof line.
3. The requested variances are not substantial as the parcel is large and spaced out and doesn't impose on anyone's usable space.
4. The proposed variances will not have an adverse effect on the neighborhood, which is very secluded with large parcels.

5. The alleged difficulty is self-created; however, that shall not necessarily preclude the granting of the area variances.

Resolved, that the application for 3 Area Variances for the construction of two additions; (1) 32' x 16' and (1) 44' x 24' and a 14' x 32' carport on the north side of the home in the side yard with a 28 foot side setback be GRANTED with no conditions.

This resolution was moved by Scot Strevell and seconded by Matt Ostiguy at a meeting duly held on May 14, 2019.

A vote was taken as follows:

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

Motion carried 6-0

NEXT MEETING: The next meeting on May 28, 2019

APPROVAL OF MINUTES:

Motion by John Conway to approve the meeting minutes from the April 23, 2019 meeting. Seconded by Matt Ostiguy. Motion carried by a 5-0-1 vote. Tom Hickey abstains.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Matt Ostiguy. Seconded by Scot Strevell. Motion Carried by a 5-0-1 vote. Dan Smith abstained.

Respectfully Submitted


Alison Lovely, ZBA Secretary