

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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

MEETING AGENDA

TUESDAY, JUNE 8, 2021

7:30PM

This meeting is being held at Town Hall

7:30 PM CALL TO ORDER

PUBLIC HEARINGS:

Reconvene ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Signs

SEOR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Signs

WORKSHOP/DELIBERATION:

ZBA Appeal #2021-05-Mabey's-486 Third Avenue Ext.-4 Area Variances-Signs

NEXT MEETING:

June 22, 2021

STATUS –APPEALS ON JUNE 22, 2021:

APPROVAL OF MINUTES:

May 25, 2021

Town of East Greenbush
Zoning Board of Appeals

In the matter by:
Mabey's Realty
For 4 Area Variances

**Resolution and
Final Decision of
Board of Appeals**

Appeal No. 2021-05

Whereas, An application has been filed by Mabey's Realty of 513 Third Avenue Extension East Greenbush, NY, 12061. The applicant proposes to construct (4) façade channel letter signs. (2) Sets of 112 sf each on East (facing I-90) and North elevations. (1) Set of 92.5 sf East elevation. (1) Set of 372 sf North elevation which is zoned OC Corporate Office/Regional Commercial. The review of the proposed work will not comply with the following provisions of the Town Zoning Law: Section(s) 3.3.2 A b) iii. The maximum shall be 24 sf.; and

Whereas, The applicant has filed an application requesting 4 Area Variances at the property located at 486 Third Avenue Extension East Greenbush, NY (Tax Map No. 144.-3-6.2); and

Whereas, The Board of Appeals has duly published a notice of public hearing regarding this appeal in The Record on May 13, 2021; and

Whereas, Notice of the Public Hearing was provided by Certified Mail to the owners of all property within 200 feet of the land involved in the application, to the Town Planning Board, and to the Rensselaer County Bureau of Economic Development and Planning; and

Whereas, A Public Hearing was held by the Board of Appeals on Tuesday, May 25, 2021 to consider this appeal; and

Whereas, The Planning Board of the Town of East Greenbush at its May 12, 2021 meeting provided a report of the requested Area Variances with a negative recommendation; and

Whereas, At this hearing, the applicant as well as any and all persons interested in this appeal were heard, their statements recorded, and various written material including exhibits, if any, were entered into the record; and

Whereas, All statements, written material and exhibits submitted in connection with said appeal have been carefully considered; and

Whereas, This appeal has met all the requirements of the **SEQR** and the **TEQR**; now, therefore, be it

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
2. There is **no** other method available to the applicant as
3. The requested variance is **(not)** substantial
4. The proposed variance will **(not)** have an adverse effect on the neighborhood
5. The alleged difficulty is **(not)** self-created; however, **that shall not necessarily preclude the granting of the area variance.**

Resolved, that the application for 2 Area Variances for **the proposal to construct (2) sets of 112 sf each on the East (facing I-90)** be _____ **(GRANTED/DENIED)** with ___ **(NO)** condition(s):

1.

This resolution was moved by _____ and seconded by _____ at a meeting duly held on **May 25, 2021**.

(Discussion)

A vote was taken as follows:

Tom Hickey _____
Matt Ostiguy _____
Jeff Pangburn _____
Bob Seward III _____
Scot Strevell _____

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2021

****Granting of this variance, does not preclude the applicant from obtaining a building permit***

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
2. There is **no** other method available to the applicant as
3. The requested variance is **(not)** substantial
4. The proposed variance will **(not)** have an adverse effect on the neighborhood
5. The alleged difficulty is **(not)** self-created; however, **that shall not necessarily preclude the granting of the area variance.**

Resolved, that the application for an Area Variance for **the proposal to construct (1) set of 92.5 sf. on the East elevation** be _____ **(GRANTED/DENIED)** with ___ **(NO)** condition(s):

1.

This resolution was moved by _____ and seconded by _____ at a meeting duly held on May 25, 2021.

(Discussion)

A vote was taken as follows:

Tom Hickey _____
Matt Ostiguy _____
Jeff Pangburn _____
Bob Seward III _____
Scot Strevell _____

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2021

****Granting of this variance, does not preclude the applicant from obtaining a building permit***

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
2. There is **no** other method available to the applicant as
3. The requested variance is **(not)** substantial
4. The proposed variance will **(not)** have an adverse effect on the neighborhood
5. The alleged difficulty is **(not)** self-created; however, **that shall not necessarily preclude the granting of the area variance.**

Resolved, that the application for **an Area Variance** for **the proposal to construct (1) set of 372 sf on the North elevation (facing Third Avenue)** be _____ **(GRANTED/DENIED)** with _____ **(NO)** condition(s):

1.

This resolution was moved by _____ and seconded by _____ at a meeting duly held on May 25, 2021.

(Discussion)

A vote was taken as follows:

Tom Hickey _____
Matt Ostiguy _____
Jeff Pangburn _____
Bob Seward III _____
Scot Strevell _____

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2021

****Granting of this variance, does not preclude the applicant from obtaining a building permit***

Copy To:

Mabey's Realty
513 Third Avenue Extension
Rensselaer, NY 12144

Cc: Rensselaer County Planning
Town Clerk (Via Email)
Building Inspector (Via Email)
Assessor (Via Email)
ZBA File No. 2021-05

DRAFT