

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, NOVEMBER 22, 2016

7:30PM

7:30 PM CALL TO ORDER

PUBLIC HEARINGS:

ZBA Appeal #2016-18-Bruso-52 New York Avenue-Area Variance-Front Deck

SEQR DETERMINATION & RECOMMENDATION:

ZBA Appeal #2016-18-Bruso-52 New York Avenue-Area Variance-Front Deck

WORKSHOP/DELIBERATION:

ZBA Appeal #2016-18-Bruso-52 New York Avenue-Area Variance-Front Deck

NEXT MEETING:

December 13, 2016

STATUS –APPEALS ON DECEMBER 13, 2016:

NONE

APPROVAL OF MINUTES:

October 25, 2016

Town of East Greenbush
Zoning Board of Appeals

In the matter by:
Robert Brusio
For an Area Variance

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

Appeal No. 2016-18

Whereas, An application has been filed by Robert Brusio, 11 Massachusetts Avenue, Rensselaer, NY 12144, proposing to construct a 8' x 20' deck in the front of the dwelling which has a 13 foot front yard setback in the R-2 Zoning District. This is in violation of the Town's Comprehensive Zoning Law Section(s) II 2.5D06(a) Area and Bulk Standards and 2.6.6 Residence District (R-2). The required front setback is 25 feet; and

Whereas, The applicant has filed an appeal requesting an Area Variance at the property located at 52 New York Avenue, East Greenbush, NY (Tax Map No. 155.9-6-4); and

Whereas, The Board of Appeals has duly published a notice of public hearing regarding this appeal in The Record on November 7, 2016; 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, November 22, 2016 in the Town Hall of the Town of East Greenbush to consider this appeal; and

Whereas, The Planning Board of the Town of East Greenbush at its November 9, 2016 meeting gave a positive recommendation to the Zoning Board for the proposed Area Variance; 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 the construction of an 8' x 20' deck in the front yard dwelling be _____ **(GRANTED/DENIED)** with ___ **(NO)** condition(s):

This resolution was moved by _____ and seconded by _____ at a meeting duly held on November 22, 2016.

(Discussion)

A vote was taken as follows:

Tom Calamaras ___
Joyce Lapham ___
Matt Ostiguy ___
Jeff Pangburn ___
Domenico Pirrotta ___
Lou Polsinello III ___
Bob Seward III ___

**TOWN OF EAST GREENBUSH
BOARD OF APPEALS**

By: _____
Jeff Pangburn, Chairperson

Dated: _____, 2016

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

Copy To:

Robert Brusio
11 Massachusetts Avenue
Rensselaer, NY 12144

Cc: Rensselaer County Planning
Town Clerk
ZBA File No. 2016-18

Via Email: Building Inspector
Assessor