

TOWN OF EAST GREENBUSH ZONING BOARD OF APPEALS

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MEMORANDUM

EAST GREENBUSH ZONING BOARD OF APPEALS MEETING MINUTES JULY 26, 2022

Members

Jeff Pangburn, Chairman
Bob Seward
Scot Strevell
Tom Hickey
Matt Ostiguy

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 five (5) members were present.

PUBLIC HEARINGS:

ZBA Appeal #2022-05–Steele– 35 Maine Avenue- Area Variance-Front Setback-Porch

Chairman Pangburn referenced the following as being in the record:

- Legal Notice-was read by Chairman Pangburn
- Read email dated 7/11/2022
- PB Recommendation with supplemental report by Matt Mastin
- Rensselaer County Recommendation
- ZBA Area Variance Application Packet
- Drawing of proposed porch location

Lea Steele spoke and stated that the front setback is less than the 25' required, but they want a 10' porch and if they followed the required setback it would only be 6'. There originally was a porch in the small location, so they want to put it back the way it was.

•Tom Hickey asked what the size was of the original porch. Steve Steele stated that the original porch was 14' x 8' and had to be taken down when they changed the roofline.

Chairman Pangburn stated that the 14' was the width of the house and the 8' projected closer to the street and now they just want it to be 2' more than what that was. Lea Steele stated that is correct.

Chairman Pangburn asked which street the porch would project towards. Lea Steele stated that the porch would project towards Maine Avenue.

•Tom Hickey stated that is what is considered the front of the house since their on a corner lot. Lea Steele stated that is correct.

Chairman Pangburn stated that Corliss is considered another front yard but that it is basically your side street for the house. Lea Steele stated that is correct.

•Tom Hickey asked what the distance was to Corliss Avenue & the distance from the corner of the porch to the corner of the house. Steve Steele stated 15' from Corliss Avenue & 2' is the distance from the porch to the corner of the house.

•Matt Ostiguy asked when the old porch was taken down. Steve Steele stated that the foundation had failed and it was at least 5 years ago.

Chairman Pangburn stated that the nearest person on Maine Avenue has a distance of 18' to Maine Avenue as stated in Matt Mastin's report. Lea Steele stated that she's not sure.

•Scot Strevell asked what the porch will look like as there are no pictures enclosed. Steve Steele explained potentially what it would look like. Lea Steele stated that they weren't sure what they were doing with it at the time of the application.

Chairman Pangburn asked if there were any other questions from the Board. There were none.

Chairman Pangburn asked if there were any questions from the public.

•Dave Terpening stated that he wanted to commend the code enforcement officer for doing his job and also wanted to commend the applicant for doing everything the right way. Dave Terpening stated that it's a high density neighborhood over there so it's hard to put stuff (addition) on to their property. Dave Terpening stated the only thing he would consider a concern is that if the applicant owns the property their putting the addition on and that there's no encroachments on anyone else's property, and that the neighbors don't have a concern. Dave Terpening stated that some people in Town don't get permits and do what they want.

Chairman Pangburn asked if the Board had any further questions. There were none.

Bob Seward made a motion to close the public hearing.

Seconded by Tom Hickey. Motion carried by a 5-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2022-05–Steele– 35 Maine Avenue- Area Variance-Front Setback-Porch

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

WORKSHOPS:

ZBA Appeal #2022-04–Riling– 31 Catskill Avenue- 2 Area Variances-Side & Rear Setbacks

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 several houses in the neighborhood have similar porches and are the same proximity to the road as this applicant.
2. There is another method available to the applicant as creating a smaller porch which does not meet their needs for this addition.

3. The requested variance is not substantial as it is only 2 feet larger than the prior existing structure.
4. The proposed variance will not have an adverse effect on the neighborhood as it stays within the character of the neighborhood in size and comparison to the house so it will not stand out.
5. The alleged difficulty is self-created; however, that shall not necessarily preclude the granting of the area variance.

Resolved, that the application for the construction of a 10' x 19'10" front porch in the front yard with a 19 foot front setback be GRANTED with NO conditions.

This resolution was moved by Tom Hickey and seconded by Bob Seward at a meeting duly held on July 26, 2022.

(Discussion)

A vote was taken as follows:

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

Motion carried 5-0

NEXT MEETING: The next meeting on August 9, 2022 is cancelled

APPROVAL OF MINUTES:

Motion by Matt Ostiguy to approve the April 12, 2022 meeting minutes. Seconded by Scot Strevell. Motion carried by a 3-0-2 vote. Tom Hickey & Bob Seward abstain.

Motion by Scot Strevell to approve the June 28, 2022 meeting minutes. Seconded by Tom Hickey. Motion carried by a 4-0-1 vote. Matt Ostiguy abstains.

MOTION TO ADJOURN

There being no further business before the Board, the meeting was adjourned upon a motion by Bob Seward. Seconded by Scot Strevell. Motion Carried by a 5-0 vote.

Respectfully Submitted

Alison Lovely
Alison Lovely, ZBA Secretary