

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 SEPTEMBER 14, 2021

Members

Jeff Pangburn, Chairman
Bob Seward III
Scot Strevell
Tom Hickey

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 four (4) members were present.

PUBLIC HEARINGS:

ZBA Appeal #2021-11–Ingerson-30 Hillview Avenue - Area Variance-Covered Front Porch

Chairman Pangburn referenced the following as being in the record:

- Legal Notice-was read above
- Rensselaer County Recommendation
- Planning Board Member report & recommendation by Ralph Viola
- ZBA Application, Authorization Form, Short EAF, Denial, Area Variance Criteria
- Bldg. Permit Application

Mary Cimo, the applicant's wife, read the Area Variance criteria questions & answers to the Board. Chairman Pangburn asked if the proposal includes closing in the porch. Mary Cimo stated it does not, it's just covering the doorway area with a roof.

Chairman Pangburn asked the Board if anyone had any questions.

•Bob Seward III just asked for clarification that the decking on the building is only like 2' closer to the road than where there is existing cement & also asked if their proposal would be even with the neighbors front porch. Mary Cimo & Steve Ingerson both stated that was correct.

•Scot Strevell asked if esthetically this will tie into the roof line. Steve Ingerson stated that his contractor stated that when it's done, it will always look like it's been there.

•Tom Hickey asked if the steps will go towards the driveway, if the existing structure that is going 2 feet past, is that the steps or slab in front of the steps & if it's going to go past the current roof line. Mary Cimo stated that the steps are going towards the driveway & that it's the slab that it's going two feet past & it won't go past the current roof line.

Chairman Pangburn asked the Board if there was anything else from the Board. There were no more questions by the Board.

Chairman Pangburn noted that there were no members of the public.

Chairman Pangburn also stated that the Board received two letters regarding the application.

- Resident Letter dated 9/13/21 from John Backman 32 Hillview Avenue in favor
- Resident Letter dated 9/14/21 from 37 Hillview Avenue in favor

Motion by Scot Strevell to close the public hearing. Seconded by Bob Seward III. Motion carried by a 4-0 vote.

SEQR DETERMINATIONS & RECOMMENDATIONS:

ZBA Appeal #2021-11–Ingerson-30 Hillview Avenue - Area Variance-Covered Front Porch

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

WORKSHOPS:

ZBA Appeal #2021-11–Ingerson-30 Hillview Avenue - Area Variance-Covered Front Porch

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

1. That there will not be an undesirable change in the character of the neighborhood as the variance will improve the look of the property and blend in well with nearby homes, adding charm and appeal to the rest of the street.
2. There is no other method available to the applicant as they initially considered replacing the steps in the current configuration, however by rotating the steps and adding the cover to the front entrance, allows for additional handrails, easier access for older adults, and the area will be kept dry to help prevent trips, slips and falls.
3. The requested variance is not substantial, the add on would basically provide cover for the front entry, it is currently only going to be 2 feet past the current cement slab that is there now, it is no closer to the road than other area houses, therefore it's the Board's opinion that there will not be any impact on neighbors.
4. The proposed variance will not have an adverse effect on the neighborhood, there is minimal digging, no disruption to the water main, the ecosystem or adjoining properties, it also is within the character of other front porches and distance to the street of other houses.
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 9' front deck with a roof above in the front yard with a 14' front setback be GRANTED with no conditions.

This resolution was moved by Bob Seward III and seconded by Tom Hickey at a meeting duly held on September 14, 2021.

(Discussion)

A vote was taken as follows:

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

Motion carried 4-0

NEXT MEETING: The next scheduled meeting is September 28, 2021 and is cancelled.

APPROVAL OF MINUTES:

Motion by Chairman Pangburn to approve the August 24, 2021 meeting minutes. Seconded by Scot Strevell. Motion carried by a 3-0-1 vote. Bob Seward III abstained.

MOTION TO ADJOURN

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

Respectfully Submitted

Alison Lovely

Alison Lovely, ZBA Secretary